

Birmingham Six finally win their freedom as police face renewed enquiries into their conduct

Baker sets up royal commission on justice

By STEWART TENDLER, CRIME CORRESPONDENT

A ROYAL commission is to conduct a wholesale review of the criminal justice system, the home secretary announced yesterday after the Court of Appeal freed the Birmingham Six.

Kenneth Baker told the Commons that the review would include the investigation of alleged miscarriages of justice once appeal rights had been exhausted.

Mr Baker made his statement shortly after the six men convicted of murdering 21 people in two Birmingham public houses in 1974 were freed after a 16-year campaign to prove their innocence. Lord Justice Lloyd asked them to stand in the dock at the Old Bailey and then told them simply that their appeal had succeeded because of new evidence available since the appeal dismissed by Lord Lane, the Lord Chief Justice, in 1987. The packed public gallery erupted as everyone there stood to cheer.

The full reasons for the decision, which came after a nine-day hearing, will be given later. Earlier, Graham Baul, counsel for the Director of Public Prosecutions, had argued that the men's convictions should be deemed unsatisfactory but not unsafe. They could still have been convicted, even without key police and scientific evidence. The suggestion was described by Michael Mansfield, QC for five of the men, as a "novel verdict of not very guilty".

Three of the main terrorist

cases of the Seventies have now collapsed in little more than two years. Last night as the six were re-united with their families, the Home Office began preparations for an investigation that could change the face of criminal prosecutions in the Nineties.

Mr Baker told the Commons that the royal commission would undertake a two-year review. It would be chaired by Lord Runciman of Doxford and its members would include Sir John May, who is investigating the Guildford Four and Maguire bomb factory cases. The commission will consider the potential use of investigating magistrates; the defendant's right to silence; the role of expert witnesses; in particular forensic scientists; the management of prosecutions; and the appeals system.

Mr Baker said the case of the Birmingham Six raised "a number of serious issues which must be a cause of concern to us all", and he would give "careful consideration" to any application for compensation by any of the six men: Hugh Callaghan, 60, Richard McIlkenny, 57, Patrick Hill, 45, William Power, 44, Gerard Hunter, 42, and John Walker, 55.

The home secretary said the criminal justice system dealt "perfectly well with the overwhelming majority of cases", adding: "I would wish this to be clearly understood so that we do not get carried away with the quite erroneous belief that everything in our current arrangements is flawed." But Roy Hattersley, the shadow home secretary, said that the appeal court's decision illustrated a fundamental weakness in the judicial system that needed more urgent changes than would be possible under a two-year review.

He also called for an investigation into why the six were convicted. "For those who may be responsible for



We're out: the Birmingham Six - from left, William Power, Richard McIlkenny, John Walker, Gerard Hunter, Patrick Hill, Hugh Callaghan - celebrating their release yesterday

any breach of the law which resulted in this miscarriage of justice ought to be speedily brought to trial."

Three West Midlands police officers have been cautioned as a result of the Devon and Cornwall force's enquiries in preparation for the appeal. They include Det Supt George Reade, who was in charge of the original inquiry. Fourteen have been accused in court of being liars or unreliable. The west country force is now likely to begin a criminal investigation.

The West Midlands chief constable, Ronald Hadfield, offered no comment on the case, and last night he was Continued on page 24, col 2

Full reports and analysis, page 5
Janet Daley, page 14
Leading article, page 15



Superpower dilemma

James Baker, the US Secretary of State, faced a difficult task in Moscow last night as he began an attempt to put superpower relations back on track. In a clear signal to President Gorbachev, representatives of the Soviet republics and prominent radicals have been invited to a dinner at the embassy tonight. Page 24

Gold Savannah

Garrison Savannah, a 16-1 chance trained by Jenny Pittman (above) and ridden by her son Mark, captured the Hote Cheltenham Gold Cup. In a later race the jockey was hurt in a fall. Page 36

Rape judgment
The English legal principle that a man cannot be guilty of raping his wife was swept aside as offensive and anachronistic in a Court of Appeal judgment. Page 3

Hanghey agrees
Politicians in Northern Ireland were under pressure to accept a British formula to allow talks on a devolved government to start. It was accepted by Charles Hanghey, the Irish Republic's prime minister after the parties were given two weeks to accept. Page 7

Champagne flows as Irishmen released

By MICHAEL HORSWELL

THE six exuberant Irishmen were swept from the scene of their triumph last night like royalty at the end of a state visit, cushioned in the splendour of H-registration blue Deimlers with a police outrider in front and the adulation of 2,000 supporters behind. They also left behind, however, the impression of bewildered little boys released from an unjust classroom detention.

Fingering the unaccustomed luxury of perfectly-knotted ties, clean white shirts and well-pressed suits, they sought the hands and embraces of their families, picked up Irish tricolours and uncertainly discarded them, unclear whose turn it was to speak before a forest of microphones. As they posed for photographers they were joined

ed by Chris Mullin, the Labour MP for Sunderland South, who campaigned for their release. After more than 20 minutes of shaking the hands of supporters who had waited more than six hours for them in the Old Bailey and uttering a mixture of elation and vitriol, they left for a private reception which was expected to last beyond St Patrick's Day on Sunday.

Richard McIlkenny spoke for them all when he shouted: "We have waited a long time for this, 16 years because of hypocrisy and brutality. Every dog has its day and we are going to have ours." A short delay in releasing them from the cells was understood to have been caused by the opening of champagne provided by supporters.

Annie from Derry a poser for Dinkins

With the St Patrick's Day march coming up, New York's minority groups are jockeying for position. Charles Bremner reports

YOU can usually tell St Patrick's Day in New York when the bars start dishing the green, leprechaun specials in Greenwich Village and Denny Boy waits over black radio stations. But this year, the city's biggest annual parade has been heralded by an ungodly squabble that has dragged in the mayor, the cardinal, the bagpiper, lesbians, crippled children and Irish wolfhounds.

Yesterday, with only two days to go before the Irish and tens of thousands of honorary Irish parade up Fifth Avenue, Mayor David Dinkins was confronted with the kind of tough political decision he does not like. Should he march for St Patrick's if the Ancient Order of Hibernians persist in barring a delegation of Irish gays, including Annie from Derry, the newly elected "Wee Little Irish Gay Girl of the Year"?

Politics are a ritual of St Patrick's, a day when a wave of green sentiment washes through all races in the city, but the fights usually involve Republicanism.

"The issue has turned into a full-scale political affair," *The New York Times* pronounced yesterday. "It has created the possibility of the unthinkable - that top city officials won't show up."

The bagpiper fell into that category. Maurice Whelan, the regimental piper who has led the parade for the past five years, was told to stay home. Continued on page 24, col 6

Major settles on 'people and property' tax

By ROBIN OAKLEY AND PHILIP WEBSTER

THE poll tax is dead. It is to be abolished and replaced by a "people and property" tax based on the number of people living in a household.

John Major yesterday promised a new local government finance system that was fair, that would unite opinion and which would not impose undue burdens on local taxpayers. He was speaking after the cabinet committee which he has chaired for several weeks decided to scrap the year-old community charge and to replace it with a new "household tax" that is intended to reflect ability to pay, does away with double tax registers and contains both property and people elements in levying the charge for local government services.

The bill for some key local government functions is expected to be switched to central government. Although a decision has not been made, likely candidates include teachers' salaries, fire and police. Ministers recognise that some local authorities are likely to continue overspending and capping arrangements are certain to continue.

Details of the new scheme have yet to be settled and the committee will meet next Thursday before its conclusions are unveiled to the full cabinet and later to MPs by Michael Heseltine, the environment secretary. Government sources said yesterday that computers would be waiting for weeks before full details could be outlined.

Ministers also want a closer look at some of the implications for individuals. One senior minister said last night: "We are not going to be caught again on winners and losers."

The new tax will almost certainly be based on capital values but the possibility of it being based, like the old rates system, on notional rental values has not yet been finally excluded. Under the plans agreed yesterday households will pay a local government tax based both on their property's value and the number of occupants. The norm is likely to be a three-person household. There would then be discounts in the bill if the household was of two persons or if a single person lived there. The possibility remains, however, that the base could be a two-person charge with a discount for one and a surcharge for three or more.

As they are emerging in their present form the proposals include provision for the grading of properties in different bands, to help to meet concerns about the ability to pay, one of the factors which helped to make the poll tax so unpopular. Because those seeking discounts will have to claim them, no expensive register will have to be maintained.

Still to be settled is whether the property valuation will be on the basis of market prices, or rebuild costs. Ministers have also to decide who will be exempt from the new tax. There were indications last

night that students would fall into that category.

It emerged after yesterday's meeting that senior ministers who had originally hoped to save the poll tax in some form had concluded finally that the unpopular community charge was "uncollectable" and politically fatal. Only a few days ago official guidance was that no announcements could be expected until after Easter, but ministers have been forced to speed up the review in response to mounting political pressures after the Ribbles Valley by-election.

The solution to be adopted was satisfied both Mr Heseltine and Norman Lamont, the Chancellor of the Exchequer. The Treasury, which never liked the poll tax, has been keen to go back to property tax, but ministers on the committee knew they had also to satisfy the Thatcherite wing of the party to whom the poll tax element of "everybody paying something" had become a totem of Conservative faith. Mr Heseltine's personal preference would have been a straight property tax.

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Lambeth talk, page 18

Shares hit all-time record

By COLIN NAKSBOUGH

A LATE spurt pushed share prices to an all-time high on the London stock exchange in what some dealers called "panic buying" as the market became convinced that a cut in interest rates, possibly by a full point, is imminent.

Just before the close of trading, the FT-SE 100 index of leading shares broke through 2,500 points for the first time to end the day at 2,500.6. This was 52.4 points, or more than 2 per cent, higher than on Wednesday and surpassed both the previous record close of 2,463.7, which was set on January 3 last year, and the trading peak of 2,480.6 which it flirted with last week.

The climb-in share prices reflected bullish sentiment among British investment fund managers and foreign investors. The stock market had been encouraged by Wall Street's good showing, but it was given an extra lift by the latest official figures on the state of the economy and improved international conditions for Mr Lamont, the Chancellor, to cut interest rates further by Budget day next Tuesday.

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Stock market, page 29

Jobless top 2 million and growing fast

By PHILIP BASSETT, INDUSTRIAL EDITOR

UNEMPLOYMENT in Britain rose above 2 million in February, increasing by more than 86,000 in the month.

Seasonally adjusted unemployment, seen by ministers as the best guide to the unemployment trend, is still below 2 million at 1,977,000, but it too is expected to breach 2 million this month.

Unadjusted, the number of jobless rose in February to 2,045,000, or 7.2 per cent of the work force. Figures also released yesterday by the employment department show a fall of almost 400,000 in the number of people with

jobs in the 12 months to September 1990.

John Major, the prime minister, acknowledged that unemployment was now "high", but speaking in the Commons he insisted that British unemployment rate was still below the European jobless average.

But Labour party leaders cited an analysis carried out this week by *The Times*, which showed that unemployment is rising faster in Britain than anywhere else in the EC.

Manufacturing workers, page 2
Earnings slow, page 25

Ford's fury unleashed on BBC chauvinism

By MELINDA WITTSTOCK
MEDIA CORRESPONDENT



Ford: "They don't know who we are"

ANNA Ford, one of the BBC's few women television newscasters, criticised her employers yesterday for failing to include a woman presenter in the team covering election night.

Speaking at *Spot The Difference*, a BBC-sponsored conference on the future of women in British television, Ms Ford said it was "outrageous" that not one of the BBC's senior women presenters were included in the team of David Dimbleby, Peter Snow and Peter Sissons.

"This is not a personal thing, I'm not saying I should have been chosen. There are a number of highly-intelligent, senior women presenters who could have been included," said Ms Ford, the 48-year-old newscaster who made her name in the late 1970s as ITN's answer to Angela

Rippon. "Women comprise 52 per cent of the population, and, following the resignation of Mrs Thatcher, a significant number of them are now floating voters who will decide the outcome of this election," she said.

But a BBC news and current affairs spokesman said: "Lots of women have been assigned senior roles in election coverage, both in front of the camera and behind it. All main news bulletins will be extended, including the *Six O'Clock News*, which Anna Ford co-presents."

He said the choice of Dimbleby, Snow and Sissons to head the studio team had been made by "a man and a woman" - Philip Campbell, editor of election coverage, and Janine Thomason, deputy editor.

Anna Ford made headlines in 1980 for a Women in Media speech on "body fascism", the obsession with looks and

clothes of women on television, and again in 1983, when she threw a glass of wine over Jonathan Aitken, MP after he unceremoniously sacked her from TV-am. Yesterday, she called for the formation of a BBC women's committee, which would "have the ear" of both the director-general and the chairman. "The board of governors and the board of management don't mix in the women's network. They don't know who we are, they don't know our frustrations. We want to influence policy."

Alan Yentob, controller of BBC2, said he would be "happy to accept a women's think-tank, as long as it represents a range of women's opinion worth hearing". John Birt, deputy director-general, said the BBC is committed to ensuring that women represent 40 per cent of all employees at each rung in the BBC hierarchy by the year 2000. Women make up 27 per cent of the BBC's staff.

GQ REVEALS

THE INTERESTING SIDE OF JOHN MAJOR. (UNBELIEVABLY IT TAKES UP SIX PAGES.)

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MPs censure British Steel and DTI over Ravenscraig's fate



Sir Robert attacked as 19th century iron master

By SHEILA GUNN and KERRY GILL
THE trade and industry department was criticised by MPs yesterday for its reluctance to give information about the closure of the Ravenscraig steel plant in Scotland. They also censured British Steel's refusal to justify its closure plans to the unions, ministers or the Commons trade and industry committee.

British Steel last night ruled out any future for Ravenscraig's hot strip mill, Motherwell, after the privatised company was attacked by MPs for its handling of the plant closure. The company dis-

missed as absurd the recommendation from the largely Tory committee for the mill to be kept intact and offered for sale. The committee supported the allegations from unions and Opposition MPs that the company has come close to breaching commitments given at privatisation on the future of the Scottish steel works. In turn it criticises the Scottish Office for its interpretation of the commitments originally given to the Commons by Malcolm Rifkind, then Scottish secretary. The report also pointed out that Sir Robert Scholley, British Steel chairman, who had clashed with

the committee during a public hearing, had not visited Ravenscraig for five years. The MPs called on the government to seek assurances from the company that it will not dismantle the plant while there is a chance of a buyer. Labour and Liberal Democrat MPs welcomed the report as a damning indictment both of British Steel and the government. The enquiry was launched after British Steel's announcement of 770 job losses at Ravenscraig. Although the committee has limited powers in dealing with a privatised company, it carried out the enquiry because the closure the

Ravenscraig and the linked Clydesdale tube works presages the end of steel production in Scotland. However, Sir Robert continued to dispute the committee's right to question him over his plans. The committee said: "Over the years British Steel has shown excessive secrecy in the way it has taken decisions of such clear public importance and has engendered understandable mistrust in its workforce and among the general public."

As in the committee's recent report on the Rover sale to British Aerospace, it criticises the trade and industry department. When

Kenneth Clarke, then industry minister, announced the sell-off in 1987 he told MPs: "The corporation will be putting out a statement today making clear that, subject to market conditions, there will continue to be a commercial requirement for steel-making at Ravenscraig for at least the next seven years." The committee said: "It is clear that more attention should have been paid at the time of privatisation to avoiding any uncertainty as to the scope to the assurances."

At a Westminster press conference for the report Mervyn Campbell, Liberal Democrat MP

for North East Fife, accused Sir Robert Scholley of acting like a 19th century iron master in dealing with his workforce. Jim Sillars, for the Scottish National Party, called on John Major to make Sir Robert agree to the report's recommendations. Tommy Brennan, Ravenscraig's shop stewards' convener, said: "British Steel would be rather silly to ignore the recommendations of such a powerful committee."

British Steel - Ravenscraig and Clydesdale Tube and Industry Committee 2nd report (Stationery Office, £17.10)

EMPLOYMENT STATISTICS

Under 5m workers in manufacturing for the first time

By PHILIP BASSETT, INDUSTRIAL EDITOR

EMPLOYMENT in the manufacturing industry is below five million for the first time on record, according to government figures released yesterday.

The disclosure will heighten the political arguments about the importance of manufacturing, and are certain to be a central economic issue at the forthcoming

general election. It came as the government issued revised figures on the numbers in work, showing a sharp worsening in employment dating from much earlier last year than had been admitted.

Britain used to be mainly a manufacturing nation but, as the service sector has grown, the manufacturing industry has become smaller. That

long-term shift has led to concern about the stability of the country's economic and industrial base - concern heightened by the ease with which the service sector has been hit by the recession.

Labour party leaders have recently launched, as a key part of their election strategy, new policies to invigorate manufacturing again, and last week an all-party House of Lords committee criticised the government's economic policies, complaining about the damage done to British

manufacturing. Revised figures for employment in manufacturing in January, published yesterday, showed the number working in the sector is down to 4,945 million - the lowest figure for jobs in manufacturing since 1959, when the employment department began keeping records on that basis. At that time, manufacturing employment stood at 7,902 million.

The department yesterday used new estimates derived from the 1990 Labour Force Survey (LFS) and the 1989 Census of Employment to release revised figures on the numbers in work. As unemployment rose last year, ministers drew comfort from the fact that their own figures showed that employment was continuing to rise even though organisations such as the Confederation of British Industry repeatedly said the government's figures were incorrect and should be changed.

Yesterday, the government did change the figures, sharply cutting its estimates of the number of people in work, and showing that, far from employment continuing to rise, it peaked as far back as last June, when it stood at 26,889 million. The net effect of the government's revision of the figures is to reduce the number in work by almost 400,000.

Trade union membership continued to fall as employment fell. The LFS shows that union membership fell by 1.3 per cent in the year to spring 1990, while the number of employees grew by 1 per cent.

Earnings slow, page 25

UNEMPLOYMENT is rising sharply in every part of Britain, according to yesterday's labour market statistics which showed headline unemployment rising above two million - with marked accelerations in particular parts of the country.

When unemployment started to rise last year after a continuous fall of 44 months, regions such as Scotland and Northern Ireland lagged behind, and managed to continue pushing unemployment down for some months after the national figure began to

rise. In the South-East unemployment is continuing to bite hard. Seasonally-adjusted figures show that unemployment in the South-East now stands at 313,500 - up by 35,200 on January's figure. Other levels include 259,100 in the North-West, and 181,600 in the West Midlands. However, the rate of change - the speed at which unemployment is increasing - is accelerating rapidly in some areas. In the West Midlands, Yorkshire and Humberside, the North and Wales the rate of change doubled in February.

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Civic dignity: Denis James, leader of Slough council, Berkshire, with the mayor's Daimler, which has been branded a gross extravagance

POLL TAX

Tory MP welcomes Labour budget

By WILLIAM CASE

JOHN Watts, Conservative MP for Slough, has a little local difficulty. With a majority of only 4,090, he had hoped that the poll tax set by his local Labour-controlled council might have given him some "political mud" to sling at his opponents in the next general election.

Slough's new poll tax of £330, which is the lowest set by a Labour-controlled shire district in the country, has placed Mr Watts in the awkward position of having to publicly applaud the Labour council as a model of responsible housekeeping. Not only is the new charge £29 less than last year, but it is also the lowest poll tax in the traditional Tory stronghold of Berkshire for the second year running.

"I'm glad we've come in at at least the national average - partly because of getting a good deal out of government grants. For a few cheap political points it might have been nice to complain of a loony left council spending money like water. That they are not profligate means a lower charge and better services," he said.

Tory councillors, beg to differ, however, and argue that Slough could have set the lowest community charge in Britain because of £30 million amassed in the 1980s from property deals and lucrative business rates on Slough Estates, worth over £2 billion, and one of the largest business parks in the world.

Despite that cash in the bank, Slough will receive more than £21.9 million this year in government grant, due mainly to poor housing and the fact that much of its population is drawn from the ethnic minorities. The grant of £280 a head is the highest per capita in Berkshire and

cavious neighbouring boroughs claim that this demonstrates just how unfair the government formula is for calculating levels of standard spending.

Geoffrey Blacker, chief executive of Windsor and Maidenhead, one such neighbour, said that his borough had similar costs - such as having to tidy up after four million tourists each summer - but was receiving £104 less per adult. "This is clearly nonsense and shows how the government formula is an anomaly and unfair," he said.

Richard Stephenson, Slough's former Tory leader, said: "Year after year they have been ripping off the chargepayer by demanding more money than they need. They never spend what they collect - like the very worst sort of Conservatives - a bunch of 19th century Scrooges who hoard away and

complain afterwards."

What really irks opposition leaders is the relief with which the Labour council has adopted municipal pomp: civic robes and chains are worn whenever permissible, medals are brought out on Armistice day; the mayor is driven around the borough in a gleaming gold and silver Daimler; civic etiquette is observed down to the smallest detail.

Richard Stokes, leader of the Liberals, said: "The concern for pomp and circumstance is bewildering. It would actually be much cheaper to have a Rolls-Royce whenever required rather than fund the mayor's limousine all year. It's a gross extravagance, not very socialist to me."

Denis James, leader of the council, says that the secret of Slough's success is its tight budgeting and knack of avoiding disputes.

Chronology of a system that failed

By PHILIP WEBSTER AND NICHOLAS WOOD

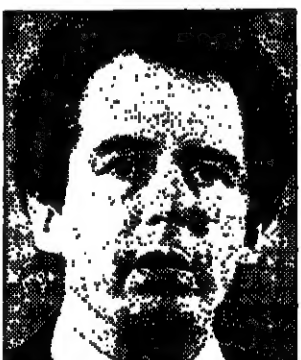
1381: Wat Tyler leads Peasants' Revolt against Richard II. Tyler is hacked to death at Smithfield in London, but the first poll tax is scrapped.

August 1974: Margaret Thatcher tells Conservative candidates in London that she plans to abolish rating system. She writes in the press in the October 1974 Tory election manifesto promising to replace the rates with "taxes more broadly based and related to people's ability to pay".

June 1983: Tory election manifesto limited to rate-capping, abolition of the GLC and the metropolitan authorities.

October 1984: Mrs Thatcher asks Patrick Jenkin, environment secretary, to review local government finance. Mr Jenkin asks William Waldegrave, his deputy, to take on the task.

Early 1985: William Whitelaw returns to London from a visit to Scotland to warn his colleagues of the penalties of rating revaluation.



Waldegrave reviewed local government finance

March 31: Chequers. Mrs Waldegrave gives Mrs Thatcher options for reform. At a five-hour meeting, the poll tax takes shape.

January 1986: Kenneth Baker, environment secretary, publishes a green paper recommending a dual arrangement of rates and community charge.

Remainder of 1986: A cabinet committee pines over the plan. Nigel Lawson, the chancellor, warns Mrs Thatcher that it will prove "completely unworkable and politically



Heseltine: poll tax's most implacable enemy

catastrophic". July 1987: Cabinet decides to go for a four-year phasing in period from April 1990. The decision to introduce it from 1989 in Scotland has been taken.

March 18, 1988: Government majority on the local government finance bill cut to 25 as nearly 50 backbenchers defy the whip over an amendment to band the poll tax put forward by Michael Bates, one of the exiled Michael Heseltine's closest lieutenants.

April 25: A rebellion by 17 Tories on third reading fails to deter Mrs Thatcher.

May 23: Lords whip ensure the biggest turnout in 17 years to crush another rebellion.

June 1989: Tony Favell, FPS to John Major, chief secretary to the Treasury, alerts Sir Rhodes Boyson, a former local government minister, to the penalty cracked on Tory areas by the "safety net" element in the charge. Backbench outcry ensues.

July 19: Concessions by Nicholas Ridley, environment secretary, fail to satisfy backbenchers.

October: Chris Patten, the new environment secretary, announces an extra £1.3 billion to cushion bills.

Early March 1990: Mr Patten admits the average charge will be £370, £100 more than the government's estimate.

March 22: Labour overturns a 14,700 Tory majority in Mid-Staffordshire. Labour opinion poll lead of 28 points.

March 31: Demonstrations against the poll tax put on colimate in Trafalgar Square. 132 people, including 57 police officers, are injured. Arrests total 341.

April 3: Mr Patten caps 20 Labour councils.

May 3: Stunning Tory victory in Wandsworth and Westminster, obscure poor council results elsewhere.

July 19: Mr Patten announces an extra £3.3 billion to hold down poll tax bills.

October 18: Liberal Democrats wipe out 17,000 Tory majority in Eastbourne.

November 22: Mrs Thatcher resigns.

November 28: Michael Heseltine, the poll tax's most implacable enemy, becomes environment secretary.

January 17, 1991: He announces an extra £1.1 billion to hold down poll tax bills.

March 7: Liberal Democrats overturn 19,500 Tory majority in Ribbles Valley in a by-election that becomes a referendum on the poll tax.

Scramble for sports channel

Nearly 500,000 of British Sky Broadcasting's 2.27 million subscribers will need to spend an extra £100 on decoders next month to unscramble Sky Sports, the new sports channel which begins broadcasting on both Astra and the BSB Marco Polo satellites in April.

Gary Davey, BSkyB's managing director, said that 240,000 Astra dish owners do not have decoders. Sky Sports, covering UK events only, is to replace Eurosport. BSkyB is to sell its 50 per cent Eurosport stake to investors chosen by the European Broadcasting Union, which owns the other half.

The merged BSkyB, which announced its five-channel line-up yesterday, said it is to spend £30 million this year in a drive to sell more satellite dishes, including a £4 million five-week advertising campaign on ITV.

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Judges' marital r be taken

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Judges' ruling on marital rape may be taken to Lords

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

THE centuries-old English legal principle that a man cannot be guilty of raping his wife was swept aside as offensive and anachronistic in a landmark judgment by the Court of Appeal yesterday.

A special five-judge court headed by Lord Lane, Lord Chief Justice, dismissed an appeal by a man aged 37 jailed for three years for attempted rape of his estranged wife.

Lord Lane said: "We take the view that the time has now arrived when the law should declare that a man remains a rapist, and is subject to the criminal law, irrespective of his relationship with his victim."

He said that the idea that a wife, because she had married, consented in advance to her husband having sexual intercourse whatever her state of health or proper objections was a fiction.

"This is not the creation of a new offence," Lord Lane said. "It is the removal of a common-law fiction which has become anachronistic and offensive."

Where the common-law rule no longer even

remotely represents what is the true position of a wife in present day society, the duty of the court is to take steps to alter the rule if it can legitimately do so in the light of any relevant parliamentary enactment."

The ruling is now likely to be challenged in the Lords. The judges granted the husband leave to appeal to the law lords where he will put the question: "Is a husband criminally liable for raping his wife?"

The ruling brings the law in England and Wales into line with that in Scotland. The Crown Prosecution Service welcomed it as a strong decision which clarified the law and confirmed the CPS policy of prosecuting cases at the margins of what was previously understood as the limit of the exemptions to marital rape prosecution. The prosecution had supported the application for leave to the House of Lords, the CPS added, because the issue was of significant public importance. Cases had been de-

layed pending the appeal.

The ruling was hailed by Women Against Rape as "marvellous news for all women". Claire Glasman, its spokeswoman, said there was a queue of cases awaiting the ruling and she predicted a rise in the number of women, both within and outside marriage, who would feel free to complain of rape. Ms Glasman urged Parliament to support the court's ruling by changing the law if necessary.

The Law Commission in a working paper has already recommended a change to remove the husband's immunity from rape charges. Although legislation is not strictly needed, the government may still want to clarify the position and perhaps make clear that such prosecutions need the consent of the Director of Public Prosecutions.

The man who brought the appeal was jailed for three years last July at Leicester crown court for attempted rape of his wife and assault after the couple had separated. The husband, who cannot be identified, forced his way into his wife's parents' home and committed the offences. The couple, who married in 1984 and who have a son, had separated 22 days earlier, the wife going back to live with her parents. Both of them had indicated they were seeking legal advice on divorce at the time and had now divorced, Lord Lane said yesterday.

The husband appealed on the ground that the trial judge, Mr Justice Owen, was wrong to rule that a husband could be guilty of raping his wife. The principle was laid down in 1736 by Chief Justice Hale. It was not examined until a case in 1949 and since then, Lord Lane said, "courts have been paying lip service" to the principle while at the same time increasing the number of exceptions to it.

Last night, MPs hailed the ruling. Jack Ashley, Labour MP for Stoke South, said if there was a successful appeal to the Lords he would introduce a bill to make rape in marriage a crime. "This ruling will bring about a dramatic transformation in the attitude of bullies who use the marriage certificate as a weapon," Jo Richardson, shadow minister for women, said. "This should be a signal to husbands that they must not rape their wives. But it needs the backing of the law." Ted Leadbitter, Labour MP for Hartlepool, however, said that the ruling could be "very bad news" for a man whose wife falsely accused him of rape.

Kenneth Hind, Conservative MP for Lancashire West, said: "It now seems sensible that the law reflects the reality of divorce law in this country and protects women."

Law report, page 36



Call to arms: one of the returning sailors from HMS Brazen waits to be hugged by his delighted children

Quayside joy for returning ship

HUNDREDS of relatives and friends yesterday gave a mass quayside welcome to the crew of HMS Brazen, the first navy ship to return from the Gulf.

Among the cheering crowd at Plymouth, Devon, was the fiancée of Chief Petty Officer Tim Allport, who sent him 360 letters during the ship's six-month tour.

Debbie Fowler, from Plymouth, posted three letters a day. "I got 22 in a single mail drop on one occasion. It took a couple of hours to read them all," said

CPO Allport, aged 32, whose home town is Birmingham.

"This was my first long trip away from her. She said she would write every day, but I did not expect so much mail." In return, he wrote 200 letters to Debbie.

Also among the 300 officers and crew on the ship was identical twin Jason Carthy, aged 17, from Paignton, Devon. He and his brother Paul, the elder by ten minutes, were separated for the first time in their lives when they joined different frigates. Paul, still in the Gulf on

HMS Brave, is due home in June.

HMS Brazen enforced UN sanctions in the Gulf until hostilities began in January, when her Lynx helicopters were involved in several missile attacks on Iraqi patrol boats.

The ship's captain, Commander James Rapp, aged 38, said: "There was a sense of relief when the conflict started. Morale went up. We had mixed feelings about leaving the Gulf a month into the hostilities."

● The funerals took place

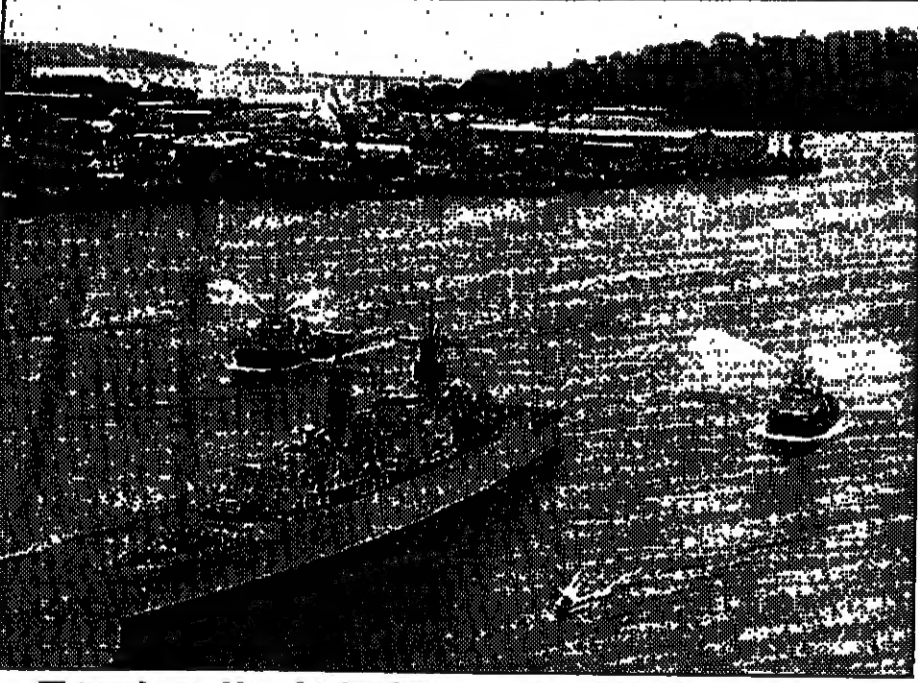
yesterday of four servicemen killed in the Gulf. Lance Corporal Terry Hill, aged 26, a member of the Royal Corps of Transport, who died at the wheel of his ambulance, was honoured at a memorial service at St Jerome's Church in Hayes, west London. He was later cremated at Ruislip.

Stephen Satchell, aged 18, who was serving with the Royal Regiment of Fusiliers, was buried at St Mary's Church in his home town of Rye, East Sussex. He was one of nine servicemen killed when an American plane opened fire by mistake on their vehicle.

Another member of the same crew, Kevin Leach, aged 20, was also buried yesterday. A service with full military honours was held at Mary Magdalene Church in Fradhoe, Northumberland. Kevin's brother Mark, aged 17, who serves with the same regiment, was yards away from the personnel carrier when it was struck by the plane.

The centre of Uttoxeter, Staffordshire, was brought to a standstill as mourners followed the flag-draped coffin of Sergeant Mick Dowling, aged 34, to a memorial service at St Mary's church. Sergeant Dowling served with the Royal Mechanical and Electrical Engineers.

He died during a battle behind enemy lines when his unit came under fire just before a ceasefire was declared.



Water welcome: ships salute HMS Brazen as she sails into Plymouth harbour

Dutch court urged to drop charge of murder

From MARK FULLER, IN ROTTERDAM

A DEFENCE lawyer in the trial of four suspected IRA members in the Netherlands called for the murder charges to be declared inadmissible yesterday, suggesting a deal had been made between the prosecution and a key witness.

Opening the defence summing up, Rudi Bon, representing Sean Hick, said the public prosecutor should decide immediately on whether to prosecute Ingrid Haegman, a Dutch student allegedly used as a go-between by the gang, or drop all the charges.

Dennis Maguire, aged 25, Paul Hughes, aged 27, Gerard Harris, aged 27, and Mr Hick, aged 30, have been charged with murder and/or complicity to murder two Australian lawyers in Rotterdam last May. They are also accused of belonging to an illegal organisation, the IRA. They have denied all the charges.

Mr Bon said it was incomprehensible the public prosecutor had not said if he would prosecute Miss Haegman, aged 20. "It is clear that Haegman was involved in complex activities over a long period, in which the totality of facts might imply participation in a prohibited organisation and co-complicity in murder. Haegman plays a dual role. On one side she is deemed a suspect and on the other is being used as a crown witness."

He questioned whether pledges were made to Miss Haegman in return for an "elaborate, detailed statement", and that she would escape prosecution. He wondered if the statement had been unlawfully obtained. He said: "What is so remarkable in the case of Haegman is that she is not standing trial with our four clients. This makes the case unequal."

Miss Haegman's evidence is crucial to the prosecution's case. It describes how she was introduced to the four suspects by her lover, Martin Conlon, another suspected IRA member who is still being sought. Police believe that Conlon collected intelligence for the Rotterdam killings.

The case was adjourned until today.

Law Fair opens to keen job hunters

THOUSANDS of students eager for a career in the law despite the recession turned up for the opening of the Law Fair in London yesterday.

More than 80 employers from law firms, commerce and industry and the public sector reported keen interest in the law both from law students and those studying other subjects.

"The recession is not deterring these students," one organiser said. "They are very keen." Employers ranging from the Bar to the Crown Prosecution Service, from big City law firms to small practices from the regions, reported interest.

However the impact of the recession on the legal profession was clear from the redundant solicitors who mingled with the students in their hunt for jobs. A woman solicitor who would not be identified said she qualified 15 months ago and took up work with a firm as a specialist in company and commercial law. "We are now all being made redundant. Firms all want trainees," she said.

The two-day fair, at the Business Design Centre, Islington, is sponsored by the Law Society, The Times and the Bar and organised by London university's careers advisory service. Details are available on free phone 0800 252183.

Anderton bows out with a broadside against criminals

By RONALD FAUX

SIR James Anderton announced his retirement as chief constable of Greater Manchester yesterday with a characteristic swipe at society's attitude to crime, a warning of an approaching abyss and regret at not being made head of the Metropolitan police. Sir James, aged 58, steps down on July 1 after 38 years' police service, 15 of them as chief constable of the largest provincial force in England and Wales and at a time when crime has reached record levels.

He told a press conference at police headquarters: "If I have any personal disappointment at all, I had a dream that I might by example and protest change the course of things and so powerfully influence society and the community in the matter of right

conduct that they would turn away from crime and disorder and wilful criminal behaviour.

"Sadly that has not happened and I see around me now today a great sea of wrongdoing that seems not to lessen in any way at all, testing police forces now to a much greater extent than I ever imagined."

Sir James said he felt sorry for police officers joining the service and facing immediately the perils and dangers of public opinion that had been quite outside his own experience 38 years ago. But he remained an optimist. Beyond a certain point in life, he said, there lay an abyss from which people generally had the good sense to step back. Too many people in today's society had not faced up to that fact or asked themselves the

question: "For heaven's sake, where are we going?"

He had taken a less controversial profile in recent times, mainly because he had found that, whenever his head went over the parapet, his views had been grossly distorted for ulterior purposes that militated against his job as chief constable.

Bringing offenders to justice and physically protecting the community would be the prime task on which the police would have to concentrate their limited resources in the next ten years. Other could worry why things were going wrong in society where family life was treated almost with contempt, morals were sometimes seen as a joke and people cared nothing for the break up of communities.

Sir James admitted to feeling

disappointed at not being made commissioner of the Metropolitan police. That was a target he had set himself because it was the most challenging post in the police service.

He gave few hints about how he plans to spend his retirement except to make clear that society has not heard the last of his robust views. Close friends had advised him to think about leaving while he was at the top with his integrity intact.

Sir James will be remembered for statements advocating severe punishment for vicious criminals, such as: "I would have people flogged until they begged for mercy." In an outburst on Aids, he once said homosexuals, prostitutes and drug addicts were "swirling around in a cesspit of their own making".



Sir James: "I see a great sea of wrongdoing"

Plan to protect London skyline

By JOHN YOUNG

A VISION of central London in which people would be able to live and work without the threat of multi-million pound redevelopment schemes or the misuse of housing for offices and luxury apartments for wealthy visitors, was unveiled by Westminster city council yesterday.

In a document which implicitly condemns past planning policies, the council said that there will be no more of the glass and concrete towers which have dominated and partly destroyed the capital's historic centre.

David Weeks, the council's deputy leader and chairman of the planning and development committee, said that views across London of the Palace of Westminster and St Paul's cathedral should be protected. However, he went further in suggesting that there would be a presumption against any future building more than 12 storeys high.

"It would be fair to say that our policies have evolved to the point where we would take a different view of the sort of proposals which were accepted 20 years ago," he said. However, the council had a fight on its hands against property owners who were certain to complain that the new restrictions would devalue property values.

The document lists almost 50 conservation areas and places special emphasis on housing and the need to protect residential amenities. The exception to the presumption against large scale development is the area around Paddington station.

● The problems of cities such as London tend to be ignored and grow if there is no single body to organise a response. Carlo Ripa di Meana, the EC environment commissioner, told a conference on the future of the capital yesterday (Charles Knevitt writes).

The commissioner told the Vision for London conference that "too often the voice of the inhabitants of our cities are neither heard nor listened to". He said that London faced three big problems: traffic congestion, the re-use of disused industrial areas, and the marginalisation of the inner city, where immigrants tended to concentrate. However, no European city provided a model to be emulated.

Leading article, page 15

SATURDAY

All-weather politician

Polly Toynbee finds Kenneth Baker still surfing along on top of the political wave

SATURDAY REVIEW

France, the last frontier

The latest team news as England, seeking the rugby union grand slam for the first time in 11 years, take on the mighty French at Twickenham

SPORT

Paris: dressed for real

In the city where couture doesn't come more haute, Liz Smith finds out what French women really wear

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Prince at odds with government in call for greener farming

By MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

THE Prince of Wales plunged into the debate over the future of the British countryside yesterday with an appeal for greener farming and a passionate defence of the organic methods he practises at Home Farm on his Highgrove estate near Tetbury in Gloucestershire.

In a lecture in London to the Royal Agricultural Society of England, of which he became president for 12 months last October, the prince said he was astonished that so many farmers still regarded organic farming "as some kind of drop-out option for superannuated hippies".

The prince was by implication criticising government policy and echoed many of the ideas put forward by environmental groups. "No one wants to sit back any longer and watch the decimation of the British farming community and the continuing erosion of the British countryside," he said.

There was a "window of opportunity" for changing the direction of farm policy but it might not remain open for long. He called on the society to get all interested parties together later in the year to discuss the way forward and said he would be ready to take part.

George Jackson, the society's agricultural director, said the challenge would be accepted. He hoped a conference

could be organised before the end of the year out of which "a memorandum for future policy could emerge".

David Naish, president of the National Farmers' Union, said: "Much of what Prince Charles said is in line with our own thinking. We accept that there is a place for organic farming. The prince was careful to say that it could not meet all our food needs."

Apologising for "injecting a short commercial at this point", the prince said he was disturbed by the level of ignorance about the principles and practice of organic farming, particularly as he had just taken a decision to convert the whole of Home Farm to organic methods.

"To me, organic farming combines the traditional wis-

dom of sound rotational farming practice with much of the best that modern technology can provide. There are, I believe, greater advantages in improved soil management, maintaining a diversified flora and fauna, reduced pollution and increased energy self-reliance than many commentators have so far been prepared to acknowledge."

Only about 1 per cent of British food is now organically produced. The prince said one of the main obstacles was the cost of converting to organic methods. "I do hope the government will soon be able to carry out a long-standing promise to find more and better ways of helping potential organic farmers."

The prince said he favoured a compulsory per-acre limit on the use of nitrogen fertiliser, criticised the "set aside" scheme whereby farmers are paid to take land out of food production, and said that the government's existing grants for encouraging more environmentally-friendly farming were "somewhat arbitrary and not sufficiently well co-ordinated".

A new approach was needed, he said. "We have to reject absolutely the suggestion that we should have a two-tier agricultural system with some areas designated for full-blown intensive production and others for conservation only."



The prince yesterday: plea to curb nitrogen use



Social workers 'failed to abide by guidelines'

By KERRY GILL

THE Orkney social work department which took nine children into care two weeks ago after allegations of ritual sexual abuse, failed to abide by guidelines published by Lord Justice Butler-Sloss after the Cleveland enquiry, or the Scottish Office's code of practice on access to children in care, according to a report published yesterday.

The report was issued in Kirkwall by Parents Against Injustice (Pain), an organisation which offers support to parents, children and professionals who claim to have suffered procedural or legal injustices within the child protection system. The organisation was asked by the four families whose children were taken into care to investigate the conduct of the social work department.

The procurator fiscal investigating the case said, meanwhile, that police enquiries were continuing. A decision on whether to bring charges is expected in the next few days, possibly after consultation with the Crown Office in Edinburgh.

The report highlighted nine areas in which the department was said to have ignored guidelines. It found that the children had been denied access to their families from the time of their removal from home, that some social workers failed to identify themselves, that families were not informed about case conferences and that there had been no home or social assessments.

The organisation also said the social services did not tell parents of their legal rights, their views had not been sought, children had been removed from their beds and the social work department had failed to implement good working practice as required by the Scottish Office. All those actions, the organisation said, flew in the face of guidelines laid down by the government or Butler-Sloss.

Sue Amphlett, of Pain, said: "Removing children from their homes is by its very nature traumatic. Some of these children's experiences

were compounded by being removed straight from their beds into cars without going to the toilet, without being allowed to take any personal possessions and not being allowed breakfast."

"Our research indicates that the families' GP, teachers or health visitor had neither been invited to case conferences nor knew of any concerns regarding the families. Following the removal of their children none of the parents have seen their children. Neither have relatives, neighbours or friends been allowed to send cards, letters or to communicate in any other way," she said.

Last night, Mairi Trickett, chairman of the social work committee, said it would have been better if Pain had kept its report until after the sheriff court hearing.

Gambler told to pay debts

By RICHARD

A gambler who ran up debts of £34,580 betting on share market movements has been ordered to pay them because the wagers were not covered by the usual bettor's immunity from legal action.

Spencer Leslie had argued that he could not be sued because the gaming acts stated that gambling contracts were null and void in law and therefore debts were not recoverable in the courts. However, the Court of Appeal yesterday dismissed his appeal against a High Court ruling that he should pay the debts he ran up in 1985 to City Index, licensed bookmakers.

Asda fined

Asda, the supermarket chain, was yesterday fined £3,000 after admitting selling polystyrene meat trays containing CFCs said to damage the ozone layer, while claiming they were free of such chemicals. Magistrates at Warrington, Sp., Warwickshire, ordered payment of £3,000 costs.

Flower swap

Eienne Jean Bessy, aged 19, of Harlesden, northwest London, was fined £100 yesterday by Hounslow Road magistrates for swapping a 50p carnation for a bunch of flowers left on the spot where a man was killed by an IRA bomb at Victoria station.

Murder charge

A man aged 32 will appear before Birmingham magistrates today charged with the murder 13 years ago of Charles Williams, aged 13, whose body was found at flats in Erdington, Birmingham.

Drink-drive case

Terry Yorath, aged 40, manager of the Welsh national football team, is to stand trial after pleading not guilty at Swansea magistrates' court yesterday to a drink-driving charge last December.

£2m record

The Royal Society for the Prevention of Cruelty to Children said yesterday that it raised a record £2 million last year but the figure still did not meet running costs.

Cycle rescuers

Lifeboatmen at Walton, Essex, have been given six new bicycles so that they can reach their boat at the end of the mile-long pier more quickly.

Tourism plan for Dales rejected

By PETER DAVENPORT

A TOURISM action plan which includes the Yorkshire Dales and is aimed at increasing an industry already worth about £350 million a year to the region was yesterday rejected by members of the National Park Committee for the area.

Although the Yorkshire Dales National Park covers only 680 square miles of the Yorkshire and Humberside Tourist Board's area of responsibility, those charged with protecting its unique landscape are fearful of the effects of the North Yorkshire Tourism Plan, prepared over the past three years by the tourist board. In a report to the committee yesterday, Richard Harvey, the national park officer, said that the plan was "disappointing, gave inadequate attention to social and environmental issues and demonstrated a certain lack of understanding of the purposes of national park designation".

The Dales already attract about ten million visitors a year and the national park officials no longer actively promote the area. A spokesman for the national park said yesterday: "We are here to

protect a very special landscape which they see as something to be promoted as a tourist attraction, almost regardless of the effect on that landscape."

Among the suggestions in the plan are significant improvements in the infrastructure of the county, ranging from an east coast motorway to more developed chalets and tourism signposting, big developments along the Settle-Carlisle railway corridor, scenic motor routes and improvements to accommodation. Many of the suggestions, Mr Harvey said, conflict with the committee's own evolving tourist strategy for the Dales.

Dr Nigel Roome, a member of the committee, said yesterday that increased tourism represented the greatest single threat to the Dales. Derek Smallwood, another committee member, said: "This report has as much relevance to us as *The Beano*."

National park officers will now prepare a detailed plan setting out their own proposals for the future management of tourism.

Middleham Jewel on show

THE Middleham Jewel, a gold and sapphire pendant linked to Richard III and found by amateur treasure hunters six years ago, went on display to the public yesterday for the first time since being sold at auction to an unnamed buyer for £1.4 million (Peter Davenport writes).

It will remain on view, amid tight security, at the Yorkshire Museum, York, until mid-April, when a government decision to defer a request for an export licence for the diamond-shaped, double-sided pendant is due to expire. The deferral decision was made by the trade department on the recommendation of Tim Renton, the arts minister.

Experts now value the pendant at £2.5 million, and the deferral by the government gives British buyers the chance to raise enough money to purchase it from the owner and keep it in this



The Middleham Jewel: owner's identity secret country. If no interest is shown by April 17, it is likely that the request for an export licence will be granted.

The pendant was found in a field near Middleham Castle, North Yorkshire, in September 1985. The castle was built for the Neville family in 1471, subsequently passing into the possession of Richard, Duke of Gloucester, later Richard III, in

1483. It is not known when the jewel was lost but there is a strong possibility that it was a relic from the last period of the War of the Roses. Some experts have speculated that it may have belonged to Richard III.

When discovered, the pendant was said to be one of the most significant jewellery discoveries in Britain for more than a thousand years. One side of it depicts the Nativity and the other bears an engraving of the Trinity and a large, oblong sapphire which, in medieval times, was believed to offer protection to its wearer.

After a treasure trove inquest and High Court proceedings, the amateur treasure hunters were declared the rightful owners and the pendant was sold at auction at Sotheby's the following year. Since then it has not been seen in public and the identity of its owner has never been disclosed.

Notice to Customers

National Savings Interest Rate Changes

The variable gross interest rates earned on our Investment Account and Income Bonds will change as follows:

INVESTMENT ACCOUNT

Beginning on 28 March 1991 the rate of interest earned on the Investment Account will go down from 12.75% pa to 12.25% pa.

INCOME BONDS

Beginning on 27 April 1991 the rate of interest payable on Income Bonds will go down from 13.5% pa to 13% pa.

The same change will apply to Deposit Bonds (no longer on sale).

Withdrawal From Sale

SAVINGS CERTIFICATES

National Savings Certificates of the 35th Issue were withdrawn from sale on Thursday 14 March 1991.

A new Issue will be announced soon.

CAPITAL BONDS

Series B Capital Bonds were withdrawn from sale on Thursday 14 March 1991.

A new Series will be announced soon.

NATIONAL SAVINGS

Issued by the Department for National Savings on behalf of the Treasury

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By RICHARD

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Criminal justice system under scrutiny

A royal commission announced yesterday will embrace almost all of the criminal process, from pre-trial investigation to how alleged miscarriages of justice are tackled, Frances Gibb reports

THE royal commission announced yesterday by the Home Secretary under Lord Runciman of Doxford, the leading sociologist, brings the criminal justice system in England and Wales under rigorous scrutiny for the second time in the past ten years. Its sweeping terms of reference embrace almost every aspect of the criminal process, from pre-trial investigation to the role of the Court of Appeal and, after that, the way alleged miscarriages of justice are tackled.

The commission will face pressure for specific changes: the creation of an independent review body to investigate alleged miscarriages of justice; and for a statutory duty on the Court of Appeal to widen the test judges apply when considering if a conviction is safe. The Court of Appeal is under particular scrutiny. There have been calls for the judges involved in the 1987 appeal by the Birmingham Six to resign and Lord Lane, who as Lord Chief Justice heads the court's criminal division, has become a main target. Even the Bar and Law Society are united in the view that there must be reform of the appeals system and of the Court of Appeal itself.

Peter Ashman, legal officer of the law reform group Justice, said: "This case raises two important issues: namely, the way the Court of Appeal has operated in the past; and the way in which such cases are investigated by the Home Office. The last time around, the Court of Appeal was obviously wrong. But we believe

that the whole system is inadequate." Lawyers are split. The Law Society and Criminal Bar Association want an independent review body or tribunal to tackle the most serious miscarriages of justice. Others, such as Sir Frederick Lawton, retired Court of Appeal judge, want to graft on to the Court wider powers to initiate its own investigations and enquiries, weighing the evidence and ordering new hearings where it is disputed.

Justice sees the remedy as a mixture of both, considering the

present system "wholly inadequate". It wants an independent review body with the powers of a tribunal of enquiry to make recommendations to the home secretary. This would decide which cases to review and then refer what seemed unsafe convictions to the home secretary. He could either quash the convictions or refer them back to the Court of Appeal.

Critics argue that a new statutory body would encroach on the constitutional powers of the court. But, under the Justice

proposal, the body would not have power to quash a conviction or sentence; its function "would be to attempt to establish the truth in a case and to advise the secretary of state accordingly". Such a body could face two main stumbling blocks of the present system, the home secretary's reluctance to be seen to be interfering with a court, and the Court of Appeal's reluctance to be seen to be upsetting a finding of a jury.

On the Court of Appeals powers, Justice proposes an

amendment to the criminal justice bill, to end the "narrow way in which the court interprets its powers to quash a conviction". Judges are meant to test the soundness of a conviction by the subjective test of whether there is a "harking doubt", but many ignore this test, Justice says. The amendment would impose a wider and clearer duty to assess "in all the circumstances whether the appellant is guilty of the offence of which he has been convicted", it adds.

Other reforms include calls for the imbalance between the investigative resources of the prosecution and defence to be rectified. Lord Scarman proposes a new judicial officer under the aegis of the Crown Prosecution Service, to oversee all pre-trial

preparation and gathering of evidence. He also suggests an independent forensic science service, working for the courts. The Bar is calling for stricter rules requiring disclosure by police of all material to the crown, and by the crown to the defence.

The commission announced yesterday is expected to complete its work in two years time. Its remit embraces "all stages of the criminal process." This will include the investigation and pre-trial stages; the management of the investigation by the police and the role of the prosecutor; the role of expert witnesses and, in particular, that of forensic scientists and the reliability of scientific evidence.

Leading article, page 15

LESSONS TO BE LEARNT

Shadows over justice and home office

By RICHARD FORD, POLITICAL CORRESPONDENT

THE Provisional IRA's bombing campaign of the mid-1970s has cast a shadow over the British criminal justice system and dogged the careers of successive home secretaries.

Few of those involved have emerged with much credit. Yesterday, Chris Mullin, the Labour MP who has borne the brunt of public and political odium for proclaiming the innocence of the Birmingham Six, said the lessons of their case had not been learnt.

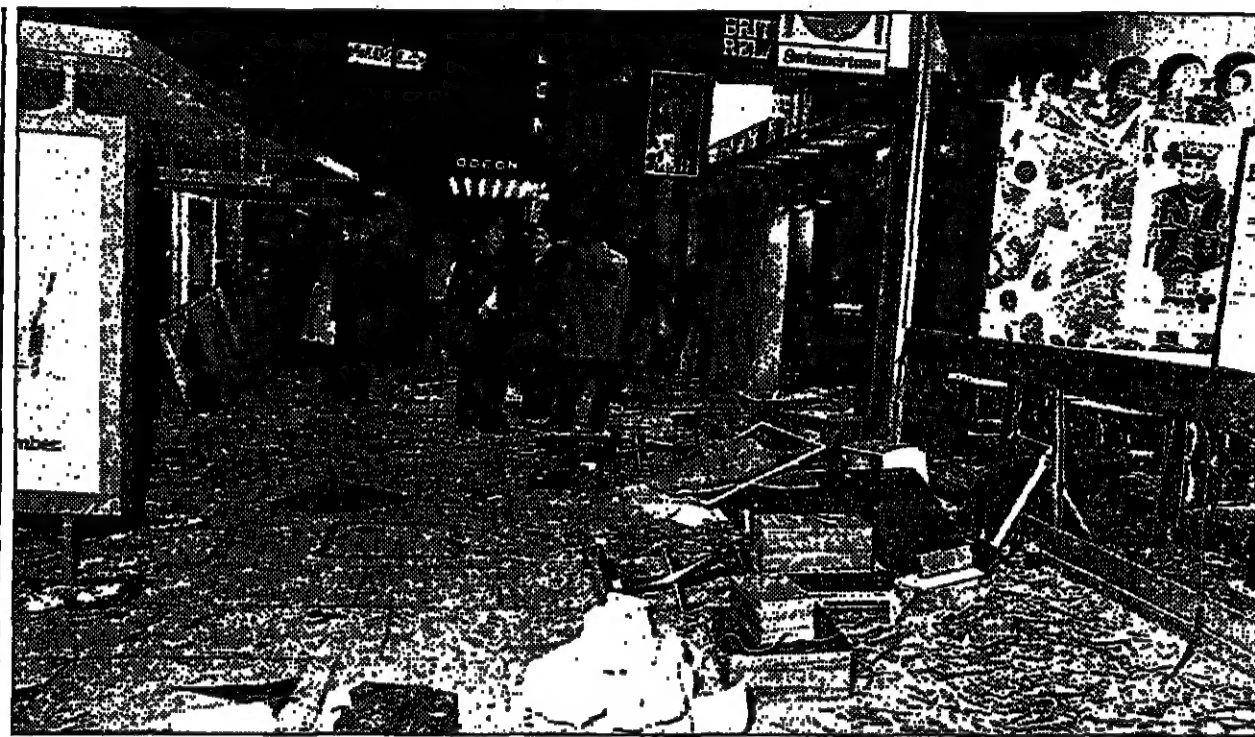
He said there was little evidence that politicians, the judiciary or the police had learnt from one of the most devastating miscarriages of justice in British history. "I do not detect any suggestion things are going to change, that any lessons have been learnt. If any lesson has been learnt, it is that you must not get caught," he said.

The other lesson, according to campaigners in the cases of the Guildford Four, the Maguire family and Birmingham Six, is overcoming the inertia of the Home Office bureaucracy and the importance of attracting to the case highly respected figures from within the establishment. From the outset, campaigners had sent letters to the Home Office about the case and, over the years, doubts had been raised inside and outside parliament.

The campaign had had little effect and was on the verge of collapse when Mr Mullin's book, *Error of Judgement*, and two Granada documentaries provided it with a much needed boost. In July 1987, Cardinal Hume led a delegation including Marilyn Rees, Roy Jenkins, and Lords Scarman and Devlin to present a submission on the Guildford Four to Douglas Hurd, then home secretary.

According to sources close to Mr Hurd, he had commissioned work to be done by his officials on all three cases and by individual police during 1986. Over Christmas that year, he read submissions and other papers on the case and is said to have become uneasy

Six freed, page 1
IRA nihilism, page 14
Diary, page 14



The pavement outside The Tavern in the Town, Birmingham, after the 1974 bomb attack in which 11 people died



Patrick Hill's Beattie haircut (above left) has been replaced with neatly cropped hair tinged with grey. He was born in the Ardara area of Belfast. Short, stocky and a practical joker, he moved to Birmingham in 1960. By 1970, he had 17 convictions, including a 13-month sentence for stabbing three nightclub bouncers. He was aged 30 when convicted for the pub bombings. Father of six, his wife Pat divorced him in 1983 and remarried.

Billy Power, now stocky with neat grey hair and bushy black eyebrows, was an unemployed painter and decorator. He came to England in 1963 to seek work and lived in London and Manchester before settling in Birmingham. He married Nora, from Cork, and they had three girls and a boy. He was 30 when sentenced and in Gertrude prison he obtained a BA in religious studies, learnt computing and shorthand and trained as a bricklayer.

Richard McKelvey, now grey and bespectacled, was 41 when jailed for life, with no previous convictions. He left Belfast at 17 to enlist in the Irish army but was discharged three years later on compassionate grounds after his father had a stroke. Mr McKelvey moved to Birmingham in 1956 and became a millwright in Wotton. He married Kate in Belfast in 1957. They have five daughters and a son and 17 grandchildren.



John Walker was 40 when jailed and police claimed he was "brigadier" of the IRA's Birmingham battalion. A native of Londonderry, he returned to Ireland only two or three times after moving to England in 1963. He worked with Mr McKelvey as a crane driver. He and his wife Theresa, an Irish woman who grew up in Birmingham, have seven children. After the trial, his family was forced back to Londonderry.

Belfast-born Gerry Hunter, long-haired and wild looking in the old police picture (above left), now looks neat, almost banker-like in suit and tie. At 29, he was the youngest jailed. He moved to England in 1963 and was an industrial painter at the same firm as William Power and Patrick Hill, but was out of work seven weeks before the bombings. He was convicted on the statements of four of the others.

Hugh Callaghan, the oldest to be arrested at 44, had not worked for three years because of ulcers. The night of the bombings was his wife's birthday, but he forgot and was not at home. Once an interviewed stand man with no political beliefs, according to his wife Ellen, he has since become more outspoken. A walking encyclopedia on the case, Mr Callaghan is known as "the journalist" and is writing a book on his experiences.

WHO SAID WHAT

Long road of the law

By OUR CRIME CORRESPONDENT

1974 November: Six arrested after bombs killed 21 in two Birmingham public houses.

"I am satisfied that we have captured the men primarily responsible" - Assistant Chief Constable Maurice Buck.

1975 August: Six sentenced to life imprisonment.

"You stand convicted on each of 21 counts, on the clearest and most overwhelming evidence I have ever heard, of the crime of murder. I am entirely satisfied, and the jury by their verdicts have shown, that these investigations both at Morecambe and Birmingham were carried out with scrupulous propriety by all your officers." - Trial judge Mr Justice Bridge, commencing Lancashire and West Midlands police.

1976 March: first appeal attempt fails.

"There was no evidence to suggest the Six had received any knocking about while in custody" - "beyond the ordinary" - The late Lord Widgery, then Lord Chief Justice.

1980 November: Lord Denning, then Master of the Rolls, blocks an attempt by the Six to bring civil actions against police for assault.

"If the six men win, it will mean... that the confessions were involuntary and were improperly admitted in evidence and that the convictions were erroneous. This is such an appalling vista that every sensible person in the land would say 'it cannot be right these actions should go any further'." - Lord Denning.

1981: Lords uphold Lord Denning's decision.

1985 October: *World In Action* takes up doubts about the test for explosive traces used on the Six.

"From the early days it was recognised that the Six were not the only ones involved" - Geoffrey Dear, then West Midlands Chief Constable.

1986 July: Publication of *Error of Judgement* by Chris Mullin, now a Labour MP, challenges convictions and claiming bombings were carried out by three unnamed men who live in Republic of Ireland.

1987 January: Home Secretary orders enquiry by Devon and Cornwall police and referral to Court of Appeal.

"I have examined all the material with great care. I am satisfied there is new evidence that would justify my referring this case to the Court of Appeal." - Douglas Hurd.

1987 November: Second appeal before Lord Chief Justice Lord Lane.

1988 January: Appeal is dismissed, and with it allegations by two former police officers of violence and intimidation of the Six.

"As has happened before in references by the Home Secretary to this court, the longer this hearing has gone on the more convinced this court has become that the verdict of the jury was correct." - Lord Chief Justice Lord Lane, who sat with Lords Justices O'Connor and Stephen Brown.

1988 April: Leave of appeal to Lords denied.

1989 August: Enquiries start into the West Midlands serious crime squad, from which investigators in the Birmingham case were drawn.

1989 October: Guildford Four released.

"The Court of Appeal spent a month going into it [Birmingham Six] all again, including five days on the question of confessions. At the end of all that process they decided that the original convictions were sound so there is clearly no point or sense in my putting that case to them again." - Douglas Hurd, then Home Secretary.

1990 March: Home Secretary orders new enquiry into case after representations from solicitors on forensic evidence and interrogations. *World In Action* names the men alleged to be responsible for the bombing.

1990 August: "The police investigation has found apparent discrepancies in the record of an interview with one of the six men" - Home Secretary David Waddington referring case back to Court of Appeal.

1991 February: DPP drops forensic and police evidence paving the way for the release of the men.

"One out - all out." - Hugh Callaghan, one of the Six, speaking from Long Lartin prison on hearing news.

EVIDENCE

Questions remain without answers

THE new appeal raised important questions not only about the conduct of West Midlands police and the value of scientific evidence but also over the forensic science service, the Home Office and the way the Birmingham Six case has been handled down the years (Stewart Tendler writes).

Two key pieces of evidence which would have affected the original trial and the second appeal were not handed over to defence counsel. Other evidence which could have emerged years ago has been uncovered only in the past few weeks and statements were still being produced as the appeal judges sat.

On the night Dr Frank Skuse was carrying out tests on five of the six men a colleague went to Liverpool and tested everyone on a ferry to Ireland. He obtained positive results on two passengers using the same test as Dr Skuse. He dismissed the results, blaming them on tape used by the men on parcels.

No statement was taken from the scientist for the original trial. He was not seen until 1987 by West Midlands police. They took statements which did not reach the defence until recently. The police have refused to comment on why they took the statement and there has been no explanation why the statements were not passed on.

No explanation has been given by the Home Office why records showing a laboratory machine giving key readings on nitro-glycerine traces were not given to the defence before the appeal. The records suggest that the machine could have been operating inaccurately on the day samples from the Birmingham Six were tested. A positive reading given by the machine was crucial to the 1987 decision.

No one can now explain what happened to custody and charge records for the six which were never requested at the original trial.

THE REAL BOMBERS

TV named men it said blew two public houses apart

By STEWART TENDLER, CRIME CORRESPONDENT

IF THE Birmingham Six did not plant the bombs which blew apart two public houses, who did? Last year, Granada Television's *World In Action*, which has campaigned for the Six alongside Chris Mullin, Labour MP for Sunderland South, named four men whom the programme-makers alleged were the real bombers. A fifth man was not identified for "security reasons".

One of the bomb planters was named as Michael Hayes. Now living in Ireland, he was said to have been involved in the planning of the Hyde Park and Regent's Park bombs in 1982 in which 11 died, the attack on Harrods in 1983 in which six died and the bomb at the Grand hotel, Brighton, in which five died.

The second man named by the programme was Michael Murray, said to have telephoned a bomb warning. He stood trial with the Six charged with conspiracy to cause explosions, served 12 years and moved to Ireland.

Seamus McLoughlin was described as the planner. He was said to be living in Ireland. James Gavin was named as bomb-maker and was serving life in Ireland for a 1977 murder. The fifth man

COMPENSATION

Freed men in line for record £1m total payout based on 'lost' years

THE Birmingham Six will be in line for record compensation of about £1 million for their years in prison. Payments will be calculated as for the Guildford Four, whose solicitors are still negotiating final figures 16 months after their release.

Compensation is a statutory right under the 1988 Criminal Justice Act, but the Home Office does not publish the criteria by which awards are assessed or the payments made in individual cases. A summary of the facts of each case is prepared by the Home Office and evaluated by

an independent assessor, Mr David Calcutt QC, whose recommendation is binding on the home secretary.

Factors taken into account include loss of earnings, cost of family visits, and the extent to which a person is said to have contributed to his own imprisonment by confessing or refusing to co-operate with the police. Billy Power, Gerry Hunter, Patrick Hill and Hugh Callaghan could receive less than Richard McKelvey or John Walker because they were unemployed at

the time of their arrests. Peter Ashman, legal officer of law reform group Justice, said the basic rate of Home Office awards for miscarriages of justice averaged between £11,000 and £12,000 for every "lost" year in prison. That would work out at between £176,000 and £192,000 for each of the Birmingham Six.

The record for wrongful conviction is £121,000, paid in 1985 to Geoffrey Davis. He spent 16 years in prison for the murder of an 84-year-old woman after being convicted

mainly on evidence from discredited Home Office forensic scientist Dr Alan Clift. The Guildford Four received interim payments of up to £50,000 soon after release in October 1989. They received a further instalment last year.

To qualify for statutory compensation, a claimant must have been pardoned or had his conviction quashed on appeal or on a home secretary's reference to the Court of Appeal. The pardon or quashing of the conviction must have been based on a newly-

discovered fact showing beyond reasonable doubt that there was a miscarriage of justice.

In the last three years the Home Office compensated 21 people for wrongful imprisonment, awarding them a total of £207,523. The Court of Appeal has awarded a woman £7,500 for four hours in unlawful custody, but to succeed in a civil action for compensation the Birmingham Six would have to prove that the police and/or prosecution had been malicious rather than negligent.

POLICE CONDUCT

Serving officers accused

By CRAIG SETON

FIVE of the 14 West Midlands detectives alleged to have either lied or been unreliable witnesses are still serving in the force. Michael Mansfield, QC, representing five of the Birmingham Six, told the Court of Appeal eight officers had lied and that another six were unreliable.

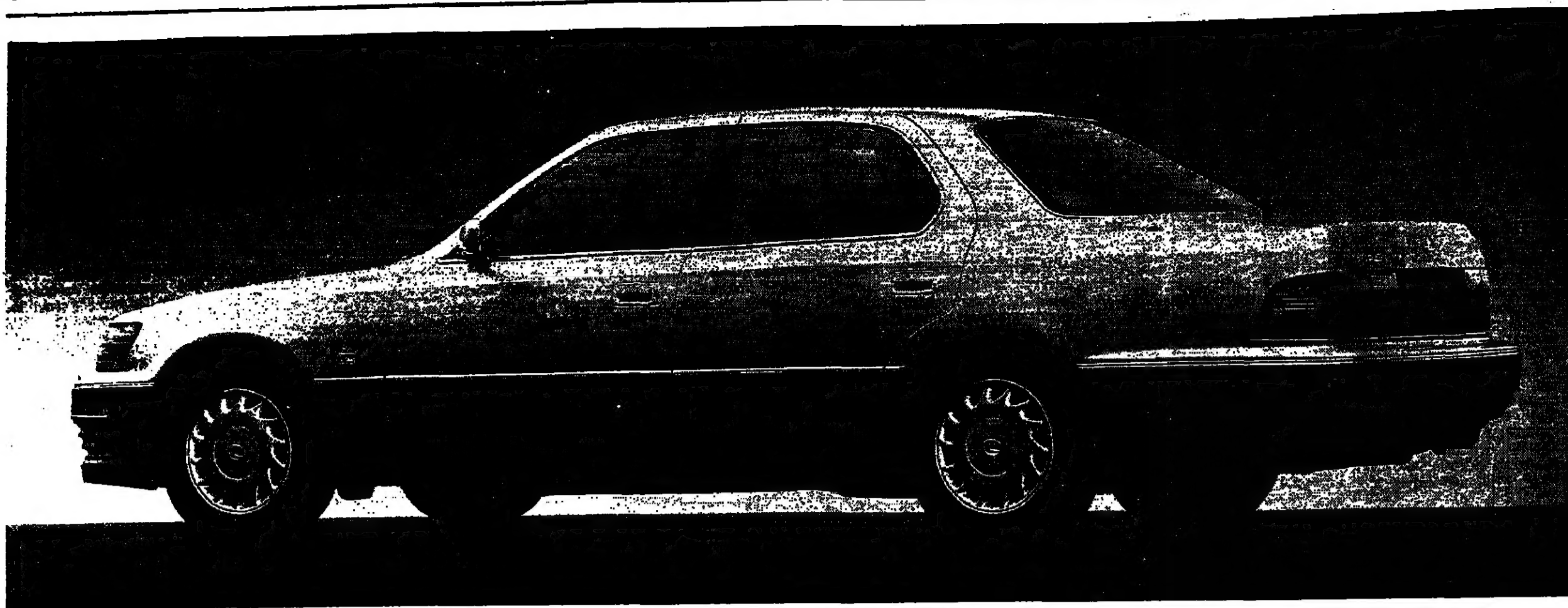
Those he named as liars were former Detective Superintendent George Reade, in overall command of case in 1974, Detective Sergeant Colin Morris, Detective Constable Terence Woodwiss, Det Con Rex Langford, Det Sgt Ray Bennett, Det Con

John Brand, Det Sgt Michael Hornby and Det Sgt Richard Bryant. Mr Mansfield said that Mr Reade, Mr Morris, Mr Woodwiss and Mr Langford, had fabricated notes, colluded and lied on oath.

Mr Reade, aged 66, retired from the force in 1976, and lives in Rugeley, Staffordshire. Mr Morris, Mr Woodwiss, Mr Langford and Mr Hornby have also retired. Mr Bennett is still with the force. He rose to the rank of chief inspector and was the last head of the serious crime squad before it was disbanded in 1989. Mr Bryant is now a

superintendent at the force headquarters in Birmingham. John Brand is also a serving officer.

It was alleged that Det Insp John Moore, Det Sgt James Kelly, Det Con Thomas Sutcliffe, Det Sgt David Millicamp, Det Sgt Michael French and Det Sgt Alan Watson were unreliable. Mr Millicamp and Mr Watson are still serving with West Midlands police. Mr Millicamp is now a chief inspector and Mr Watson a superintendent. Mr French left the force and the other three retired.



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The Sunday Telegraph

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Brooke decisi Ulster by E

By JOHN WINDER

A FORMULA to allow talks to start on the future administration of Northern Ireland was presented to the province's political parties and the government of the Irish Republic yesterday by Peter Brooke, the Northern Ireland secretary.

His proposals are intended to overcome the obstacles that have put his political efforts into deadlock since before Christmas.



Poll tax help for troops

Service personnel and civilians are to be reimbursed for poll tax incurred while they were serving in the Gulf, Michael Heseltine, the environment secretary, announced.

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By ROBIN OAKLEY

THE Liberal Democrats believe that the accession of John Major to the Conservative leadership has improved the chances of the two parties working together in a hung parliament. But there will be no Liberal Democrat support for any party's Queen's speech in the next parliament that does not provide measurable progress towards electoral reform, the party's election campaign director, Des Wilson, said yesterday.

He added that the Liberal Democrats, whose spring conference opens in Nottingham today, will require more than the promise of a Speaker's conference to examine voting systems.

Paddy Ashdown, the party leader, and Mr Wilson will be seeking to make the Liberal Democrat position on the balance of power crystal clear at the start of the campaign so that it does not come to dominate their coverage in the media.

The party's election planning is further advanced than

Parliament

The main business in the Commons next week will be:

Monday: War crimes bill, second reading.

Tuesday: The Budget.

Wednesday and Thursday: Budget debate continued.

Friday: Private members' bills: Local government finance (publicity for auditors' reports); motor vehicles (safety equipment for children); and crofter forestry (Scotland), remaining stages.

The main business in the

سكراين الراجل

Brooke wants decision on Ulster talks by Easter

By JOHN WINDER AND RICHARD FORD

A FORMULA to allow talks to start on the future administration of Northern Ireland was presented to the province's political parties and the government of the Irish Republic yesterday by Peter Brooke, the Northern Ireland secretary.

His proposals are intended to overcome the obstacles that have put his political efforts into deadlock since before Christmas.

Mr Brooke is taking the initiative in putting forward a formula that he believes respects the principles of all the parties involved in the discussions. In an attempt to force the pace, he has given the parties until Easter to respond to his ideas with the implication that if agreement cannot be reached, he will bring the 14 months of talks about talks to a close. "The moment for decision has come," Mr Brooke said in a clear message that he did not want the present phase of the talks to drag on much longer.

Last night, a few hours after receiving the text, the Irish prime minister accepted Mr Brooke's formula. Charles Haughey sent a message to John Major saying that he hoped substantive talks could start soon.

The text of the document was not completed until after Mr Brooke's meeting on Monday with Gerry Collins, the Irish Republic's foreign minister. A copy was given to the Dublin government yesterday morning with a recommendation by Mr Major.

Mr Brooke will not accept any negotiations on his text, if all the parties accept his formula, he will make a statement on the next stage of his initiative before Easter.

His proposal is a shrewd move because none of those involved will want to be blamed for causing the failure of the initiative. By publishing it, Mr Brooke would ensure that the electorate will also know what their leaders rejected.

He told MPs that he believed his formula provided a sound basis for formal political talks on all the key relationships. The text, he said, respected the essential principles of all concerned.

The document was sent to all the key participants, including the Unionist and nationalist parties and the Irish government. He said that they should respond by Easter and that he would make the text public in due course.

Showing a hint of exasperation at the present impasse, Mr Brooke said: "Fourteen months of painstaking collective effort about important, but essentially preliminary, points lie behind us. Against that background I do not believe that we can sensibly engage in further textual barter." He added: "The moment for decision has come. We have a real chance to move forward to substantive talks. These would offer the prospect of a significant transfer of power to local politicians."

Mr Brooke's initiative envisages talks between parties in the North on a devolved government for the province,



McNamara: admiration for the minister's tenacity

discussions on a North-South relationship and links between London and Dublin.

Peter Robinson (Belfast East, DUP) said that there would be confusion in the press because many of them had expected that Mr Brooke would come to mourn the passing of his initiative and had instead found him with the air of an expectant father. He promised that his party would examine the text carefully and positively.

Admiration for Mr Brooke's

tenacity over 14 months was expressed by the Opposition spokesman, Kevin McNamara. "He must share a degree of regret that he feels it necessary to issue what amounts to an ultimatum this afternoon. It is a matter of regret for us. The only people who will delight in these talks not going further will be the men of violence from both communities."

Mr Brooke replied that he had had no intention of issuing an ultimatum.

Major delights Heath

By ROBERT MORGAN
PARLIAMENTARY STAFF

EDWARD Heath, the former prime minister, launched a scarcely veiled attack on Margaret Thatcher and all her works last night. The approach of the new prime minister, John Major, had sent a "refreshing breeze through the Conservative party," he said. "At last we are beginning to shed the albatrosses that have weighed us down over the last few years."

Commenting on the recent opinion poll dip in Mr Major's popularity, Mr Heath said that the prime minister was suffering from his early successes. "Suddenly everyone thinks that he can solve overnight all the problems the government has got itself into over the last 11 years."

In a speech to his Old Berley and Sidcup constituency association, he called for patience as the prime minister and his colleagues set about the tasks before them, including reform of the poll tax. He recalled being heckled and screamed at by Tory MPs when he had condemned this ludicrous tax from the start. Those same MPs would now have difficulty explaining their past actions to their constituents.

He criticised those who sought to reduce local authorities to little more than street cleaning supervisors. His message to Michael Heseltine as he sought to reform the poll tax was "take your time, make it fair and get it right".

Private sector revival is backbench priority

By NICHOLAS WOOD, POLITICAL CORRESPONDENT

A CUT in interest rates tops the shopping list for almost all Conservative MPs as they look forward to Norman Lamont's first Budget next week.

If the Chancellor can couple his annual juggling act with the government's revenues with a reduction in leading rates of one percentage point, he can expect to win the plaudits of his backbenchers.

Inevitably, with the Tories coming to the end of their third term in power, technical Budget judgments are intertwined with far more visceral calculations about the timing of the next election and the need for a winning formula. If there is a consensus, and there appears to be one irrespective of questions of timing, it is that the revival of private industry must be made the top priority.

MPs drawn from the left, centre and right of the party are broadly looking for a fiscally neutral package from Mr Lamont aimed at getting the private industrial sector back on the move again.

While few want an immediate reduction in income tax rates, there is widespread support for measures designed to lift the economy out of the recession of the past six months. The favoured route is extra help for

businesses, especially smaller ones.

Nigel Forman, the centre-left MP for Carshalton and Wallington and a former parliamentary private secretary to Nigel Lawson, sums up the prevailing view. He wants a cautious Budget leaving room for swift reductions in interest rates.

Ambitious plans for tax reform, most notably in the

should encourage the use of diesel, lead-free petrol, possibly even look at the idea of a carbon tax."

Michael Latham, the independently minded centre-left MP for Rutland and Melton, Sir Neil Macfarlane, a former minister and close aide of Michael Heseltine, and Kenneth Warren, chairman of the cross-party trade and industry select committee, all believe that Mr Lamont should direct his efforts at kick-starting a faltering economy by reducing interest rates. Mr Latham said: "I believe the Budget should be a reflationary one. The country is in serious recession. I want to see another at least half per cent cut in interest rates and preferably 1 per cent."

Sir Neil believes that the government faces another six months of mortgage misery and that an election should be delayed until May next year. Remedial action should be taken now through a cut in base rates of two percentage points by the beginning of May this year. Mr Warren is another who wants two percentage points off the bank rate to stimulate the private sector.

Most MPs would also be happy to see tax allowances and excise duties on alcohol and tobacco raised in line with inflation, though there are some dissenting voices.



Sir Neil: six months more of mortgage misery

area of "green" taxes, must wait, but the long-term perspective should not be lost. Mr Forman says: "We have got to go towards green taxation, which means using the fiscal system to encourage sensible decisions which are environmentally friendly. We



Poll tax help for troops

Service personnel and civilians are to be reimbursed for poll tax incurred while they were serving in the Gulf, Michael Heseltine, the environment secretary, announced. About 12,000 people will benefit. The scheme will be retrospective to August last year.

Sludge plan

A programme to phase out the disposal of sewage sludge at sea was announced in a written reply by John Gummer, the agriculture minister.

Swim bill

A bill requiring schools to provide swimming and water safety lessons for all pupils was introduced in the Lords by Lord Norrie, a Conservative peer.

Car seat belts



Draft regulations on the wearing of rear-seat belts by adult passengers were published yesterday by Malcolm Rifkind (above), transport secretary. The regulations will come into force on July 1.

Democrats spell out conditions

By ROBIN OAKLEY, POLITICAL EDITOR

THE Liberal Democrats believe that the accession of John Major to the Conservative leadership has improved the chances of the two parties working together in a hung parliament. But there will be no Liberal Democrat support for any party's Queen's speech in the next parliament that does not provide measurable progress towards electoral reform, the party's election campaign director, Des Wilson, said yesterday.

He added that the Liberal Democrats, whose spring conference opens in Nottingham today, will require more than the promise of a Speaker's conference to examine voting systems.

Paddy Ashdown, the party leader, and Mr Wilson will be seeking to make the Liberal Democrat position on the balance of power crystal clear at the start of the campaign so that it does not come to dominate their coverage in the media.

The party's election planning is further advanced than

at any contest in recent history, Mr Wilson said. Candidates will be in place by Easter in 519 of the 634 seats in England, Scotland and Wales and "shadow" candidates are ready in 75 other seats. The party is on target, Mr Wilson added, for its estimated minimum budget of £1 million for the election.

Mr Wilson has been given a free hand to run the election campaign and he said that, unlike last time when the Liberals and SDP were running together as the Alliance, the party leader's campaign and the party campaign will be run together. Workers in the field will be told the contents of party political broadcasts before they are put out.

The Liberal Democrats will target seats that they believe they can win this time with extra effort. But with Mr Ashdown calling this a "staging post" election, they have identified others as "developmental seats" for a special effort this time in the hope of making them winnable next time.

Parliament next week

The main business in the Commons next week will be: Monday: War crimes bill, second reading.

Tuesday: The Budget. Wednesday and Thursday: Budget debate continued.

Friday: Private members' bills: Local government finance (publicity for auditors' reports); motor vehicles (safety equipment for children); and crofter forestry (Scotland), remaining stages.

The main business in the

Lords is expected to be: Monday: Road traffic bill, second reading.

Tuesday: Child support bill committee, second day.

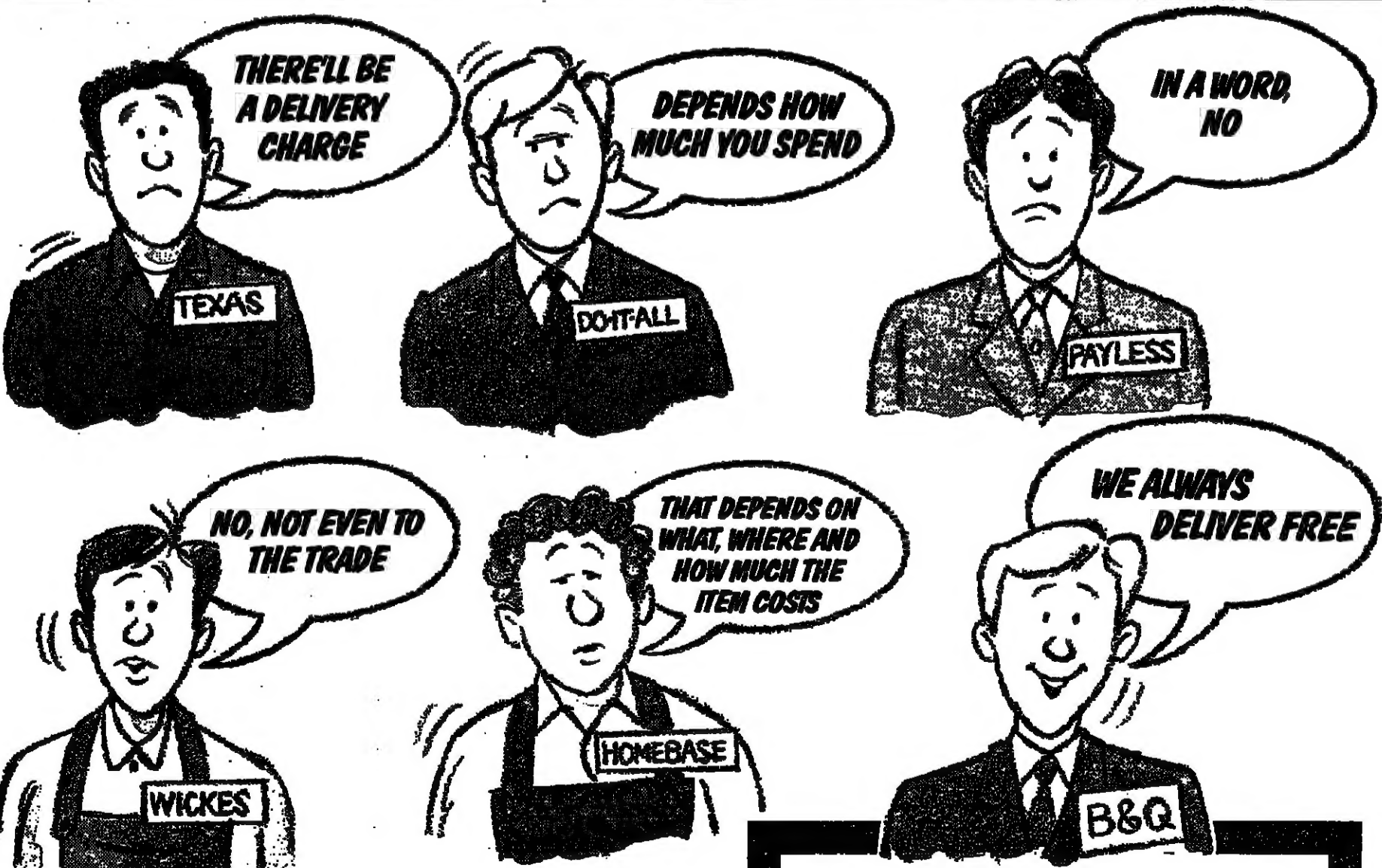
Wednesday: Debates on famine in Africa and on global warming.

Thursday: Child support bill, committee, third day.

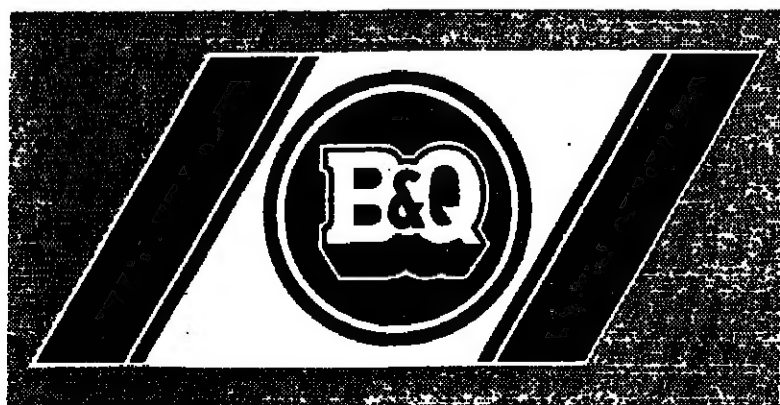
Parliament today

Commons (9.30): Debate on private member's motion on the ecological consequences of the Gulf war.

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BAKER'S TOUR

Arab rulers not yet ready to embrace Israel recognition

By BARRY SCHWEID IN DAMASCUS

SYRIA is serious about its pursuit of peace with Israel but Arab governments are not yet ready to follow Egypt's lead in recognising the Jewish state, James Baker, the US Secretary of State, has concluded at the end of a five-day visit to the Middle East. "You have to take it a step at a time," he said before departing for Moscow.

"I sense there is very serious intent on the part of the Syrian government to pursue an active peace process and to continue to work toward that end with the coalition countries that worked together to reverse Saddam Hussein's aggression," Mr Baker said.

His upbeat assessment was reinforced by Farouk al-Shara, the Syrian foreign minister, who said he saw "a window of

optimism and hope" for peace in the region.

Mr Baker said he intended to keep working at resolving the thorny Arab-Israeli conflict. He emphasised that his talks in Israel and with the Arab leaders dealt with implementing United Nations Security Council resolutions requiring the withdrawal of Israel from former Arab lands in exchange for recognition by Arab states.

Mr al-Shara said the United States and Syria fully agree "in substance" that UN resolutions regarding the Arab-Israeli conflict and the Palestinian question must be met.

Mr Baker has told reporters that he made no specific demands of Yitzhak Shamir, the Israeli prime minister, in their meeting on Tuesday. But

Israeli sources said later in Jerusalem that he emphasised a need for compliance with UN resolutions related to the conflict.

Mr Baker's optimism was shared by Faris Bowayz, the Lebanese foreign minister, who said after talks with Mr Baker that he saw a "serious" American desire to press its ally, Israel, to withdraw from south Lebanon. "I think there is a possibility that the Israelis and Americans would reach an understanding on this issue," he said.

Mr Bowayz said Mr Baker had told him that Israel put conditions on a withdrawal: it wants the Lebanese authorities to tighten control in the south before it pulls out its troops. "We answer this by saying the Israeli army with all its capabilities and its military superiority was not able until now to control the situation in the south in a decisive way. How can they ask from the Lebanese army what the Israeli army has failed to do?"

He said the Lebanese government was "studying a plan to disband all Lebanese and non-Lebanese armed groups".

The fate of 12 Western hostages, including three Britons and six Americans, was also discussed. "Mr Baker hoped the Lebanese government, while consolidating its grip in the Beirut area, would be able to solve this issue soon," Mr Bowayz said.

Mr Baker also discussed the hostages during a meeting with President Assad. He appealed to Mr Assad for help in gaining their freedom. ABC News quoted unidentified Western diplomats as saying that while in Damascus, Mr Baker had received a message that the Iranians, in return for help to free the hostages, wanted the release of a Shia clergyman who was abducted by Israeli commandos in 1989. (AP)

● LONDON: The prospects of the peace faction within the Palestine Liberation Organisation leadership winning out over the militants were regarded as favourable yesterday after talks between senior officials of the PLO and the Foreign Office in London (Michael Knappe writes).

Bassam Abu Sharif, political advisor to Yasser Arafat, the PLO leader, met David Gore Booth, assistant under-secretary of state for Middle East affairs, amid speculation that the PLO was preparing to unveil "new ideas" for peace with Israel.

Leading article, page 15
Letters, page 15
Baker in Moscow, page 24

PRISONERS

US airmen beaten while held by Iraq

FROM SUSAN ELLICOTT IN WASHINGTON

FORMER American prisoners of war in Iraq said yesterday they were beaten and forced to make anti-war statements on videotape. One said he bloodied his own nose in an attempt to get out of being filmed.

Speaking at a naval hospital where they are convalescing, seven navy and marine corps pilots and crewmen taken prisoner in the early stages of the allied air assault on Iraq described their fears while being held. Several said they turned to prayer as a source of strength but never doubted that Americans would force them to believe their forced statements.

"About 90 per cent of the time you felt you were in danger of losing your life," said Jeffrey Zaun, a navy lieutenant, aged 28, who became a heroic symbol for Americans when *Newsweek* magazine ran a cover picture of his badly-bruised face. "I thought about God."

The press conference was their first public appearance since their return to America last weekend. Earlier this week, the Pentagon said it was investigating the mistreatment of some of the 21 American former prisoners as evidence of war crimes.

Lieutenant Zaun, whose A6E attack jet was shot down on January 17, said the puffiness of his face was caused mainly by his ejection at 500

mph but also by slaps from his captors. The Iraqis told him the five questions he would have to answer on the videotape but that he tried to "screw up" and punched himself in the nose in the hope that his captors would decide not to film him.

Joseph Small, a marine major, said he underwent a series of interrogations and beatings before the Iraqis threw him into a prison cell in Baghdad one day after his OV-10 Bronco observation aircraft was shot down on January 16.

All seven airmen appeared in good physical shape, with no signs of the bruising and cuts they had when Baghdad broadcast the videotapes. During their captivity, they were fed porridge, soup, beans and rice.

Clifford Acree, a marine lieutenant colonel, said he and Guy Hunter, aged 46, were shot down when their AV10 ducked beneath a layer of clouds at 7,000 feet to look for targets. "Sometimes you get the feeling that things are not going to go right," he said.

"In my peripheral scan on my left-hand side I saw a small white trail of smoke and I looked back and there was a white-hot missile with a white trail of smoke coming at me much too quickly."

The colonel, aged 39, estimated that he had about one second to bail out before his aircraft went up in flames as the missile struck.



Home ground: Sheikh Jaber Ahmed al-Sabah, the Emir of Kuwait, kissing the tarmac at Kuwait City airport on his return from exile. The Kuwaiti leader fled seven months ago as Iraqi forces poured into the country

KUWAIT

Subdued welcome for emir

FROM JAMIE DETTMER IN KUWAIT CITY

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AFTERMATH OF WAR

British general rebuffs Bush on helicopters

FROM MICHAEL EVANS, DEFENCE CORRESPONDENT, IN RIYADH

LIEUTENANT-General Sir Peter de la Billière, commander of Britain's forces in the war with Iraq, last night disagreed with President Bush's view of Baghdad's use of helicopters against rebels within the country.

In Ottawa on Wednesday evening Mr Bush said that the use of helicopters violated the truce agreement and insisted that the issue had to be resolved before there could be a permanent ceasefire.

There were constraints put on the flight of any Iraq fixed-wing aircraft but not on helicopters, the general said. "This was because the Iraqis have asked if they could use helicopters for moving casualties from the battlefield."

However, now they were being used against the anti-Saddam resistance movement. There was little to indicate that the unrest was "coming under control". The general predicted that Saddam would eventually be removed.

He remarked that he personally had expected "several hundred" British servicemen to be killed during the campaign. The official "planning estimate" of casualties has been much higher which was why the field hospital arrangements had been so extensive, Sir Peter said. But he had always discounted the "wild figure" of 25,000 coalition casualties which had been suggested before the war.

Sir Peter said: "I always thought the casualties (on the coalition side) would be relatively low because we had an excellent plan devised by General Schwarzkopf (the allied commander) and because of our superiority in technology and major weapons systems, our air supremacy and the higher quality of our servicemen."

Speaking at the headquarters of British forces, Sir Peter said he had been "radically" wrong in his assessment of what would happen in the war with Iraq. He was thankful that he had been wrong. "I predicted be-

fore the war that it would last days or weeks and to that extent I was correct. But the war went on longer than I expected and the ground war was considerably shorter than I expected."

Part of the assessment of the Iraqi fighting capability had been based on the experience British officers had had in dealing with Iraqi officers on training courses in Britain.

He had not made any public predictions about casualties before the war. He felt it would not have helped to make a guess. "But I thought they would be heavier in the air. We expected a vigorous response from the Iraqi air force which we didn't get."

Precision bombing had played a more significant role than he had believed was possible. Although the RAF had a precision bombing capability, it could not be compared to that of the Americans. This was an area which would have to be looked at for the RAF "in the years ahead." This did not necessarily mean a huge financial outlay.

Once the ceasefire had been signed, Sir Peter's orders from London were to arrange the total withdrawal of all British equipment back to home bases. No British tanks would be left behind as part of any postwar security set-up.



De la Billière: Saddam can use his helicopters

POLLUTION

Engineer plans to snuff out oilfield fires like candles

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

AN unconventional way of extinguishing the blazing Kuwaiti oilfields with an approach that would be familiar to any choirboy is being proposed by a civil engineer living in Britain.

Ekkehard Schirmer, a German citizen who spent three years in Kuwait in the 1980s, believes a simple modification of an opencast mining machine could be deployed to "snuff out" the hundreds of wells burning in the Gulf in the same way that candles are extinguished in church.

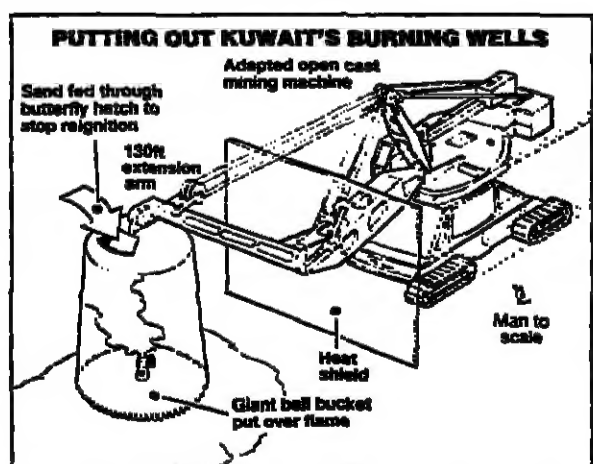
The engineer, who runs a firm of consulting engineers in Bath, Avon, believes the unprecedented number of wells on fire requires a different approach to the conventional techniques that have been developed to tackle single wells.

Red Adair and the other firefighters at work in the area are using explosives or sinking side-shafts to choke the Kuwaiti wells underground. They have estimated that putting out more than 500 burning wells could take up to two years.

Mr Schirmer calculates that his method, which he has dubbed "Big Snuff", might take as little as two months to choke the fires if two machines were deployed each extinguishing an estimated ten fires a day.

The advantage of the technique over more exotic proposals is that the technology is available with the giant machines needed already in use around the world.

Countries such as America and Canada deploy caterpil-



lar-tracked machines to mine the sides of mountains, gouging out huge chunks of earth and rocks with their vast buckets.

A machine, standing around three storeys high, fitted with a 95 ft to 130 ft arm and 65 ft tall "snuffer" would probably do the trick, said Mr Schirmer.

A heat shield would be fitted half way along the arm for protection. Despite the high temperatures around the burning oil heads, taps nearby made of metal have not melted, although they are likely to have become red hot, said Mr Schirmer.

The bucket, once raised around 30 ft into the air and plunged over a flaming well, should deprive the fire of oxygen. To ensure re-ignition does not occur sand, fed in through a butterfly hatch at the top of the bucket by a convoy of back-up tracked machines, would be

dumped over the well head before it is capped in the conventional way.

Mr Schirmer believes a "snuffing" operation should be simple to devise. "I am bearing estimates of one, two, even three, years to put out the fires. This, I believe, is unacceptable. Normally engineers tend to work on traditional lines in the fields they know. This is a completely new problem which requires a new approach," he said.

● PARIS: Kuwait has asked France for 300,000 surgical masks to help relieve respiratory problems caused by the smoke from burning oil wells, a cabinet minister said yesterday (Reuters reports).

"We will check whether such a quantity is available and try to ship them very soon," Bernard Kouchner, junior minister for humanitarian action, told French radio.

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The country is still labouring under the devastation brought on it by the Iraqi occupation. The government is being criticised for failing to restore electricity and water supplies and for poor emergency food distribution.

WHERE TO SAY THANK Q

FROM JAMIE DETTMER IN KUWAIT CITY

SHEIKH Jaber Ahmed al-Sabah, the Emir of Kuwait, returned to his country yesterday seven months after fleeing from invading Iraqi forces. However, there was no general rejoicing in the city.

A few hundred Kuwaitis, who created a traffic jam on the expressway leading to the airport, gave him a rousing welcome, but in Kuwait City no large crowds turned out. At the airport, the emir was greeted by a throng of jostling journalists and television camera crews who upset the ceremonial welcome.

Within a few minutes restrained ceremony had given way to a spontaneous and confused affair, although he seemed oblivious to the scum of soldiers, al-Sabah princes, ambassadors and journalists that engulfed him.

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1991

Soviet Union smuggles Honecker out of Germany

From ANNE McELVOY in BERLIN

ERICH Honecker, the former East German leader, has been moved to the Soviet Union apparently on the initiative of Soviet authorities and without the knowledge of his lawyer or the German government.

His east Berlin representative, Friedrich Wolff, said that without his knowledge Herr Honecker, aged 78, had been flown to Moscow for medical treatment early yesterday. He told the east Ger-

man news agency ADN that he had only heard of Herr Honecker's whereabouts hours after he had left for Moscow. But Nicolas Becker, a west Berlin lawyer also acting for the former leader, said he believed the transfer had taken place in secret on Wednesday evening.

There was no indication from the Soviet side yesterday as to the nature of Herr Honecker's ailment. He had undergone a gall bladder operation and been treated for kidney cancer and high blood pressure since he was removed from office in October 1989.

A Soviet embassy spokesman justified the action as being caused by "a sudden and acute worsening of Herr Honecker's state of health". The spokesman added that the decision had been taken "for humanitarian reasons, and for an operation in Moscow".

Herr Honecker, who is facing manslaughter charges for his shoot to kill orders as well as corruption charges, had been admitted to the Soviet military hospital in Beclitz since the beginning of the year after he was granted asylum there.

Pressure from the Berlin state prosecutor's office had been growing for Herr Honecker to be handed over to face trial on the grounds that unification had robbed the Soviet base of its extra-territorial status.

In Berlin a justice department spokeswoman, Jutta Burghart, said the authorities had not been informed of Herr Honecker's departure.

She said yesterday that the justice authorities would apply for the arrest warrant for Herr Honecker to be made into an international one, if the Soviet Union confirms that he is on its territory. There is, however, no extradition treaty between the two countries.

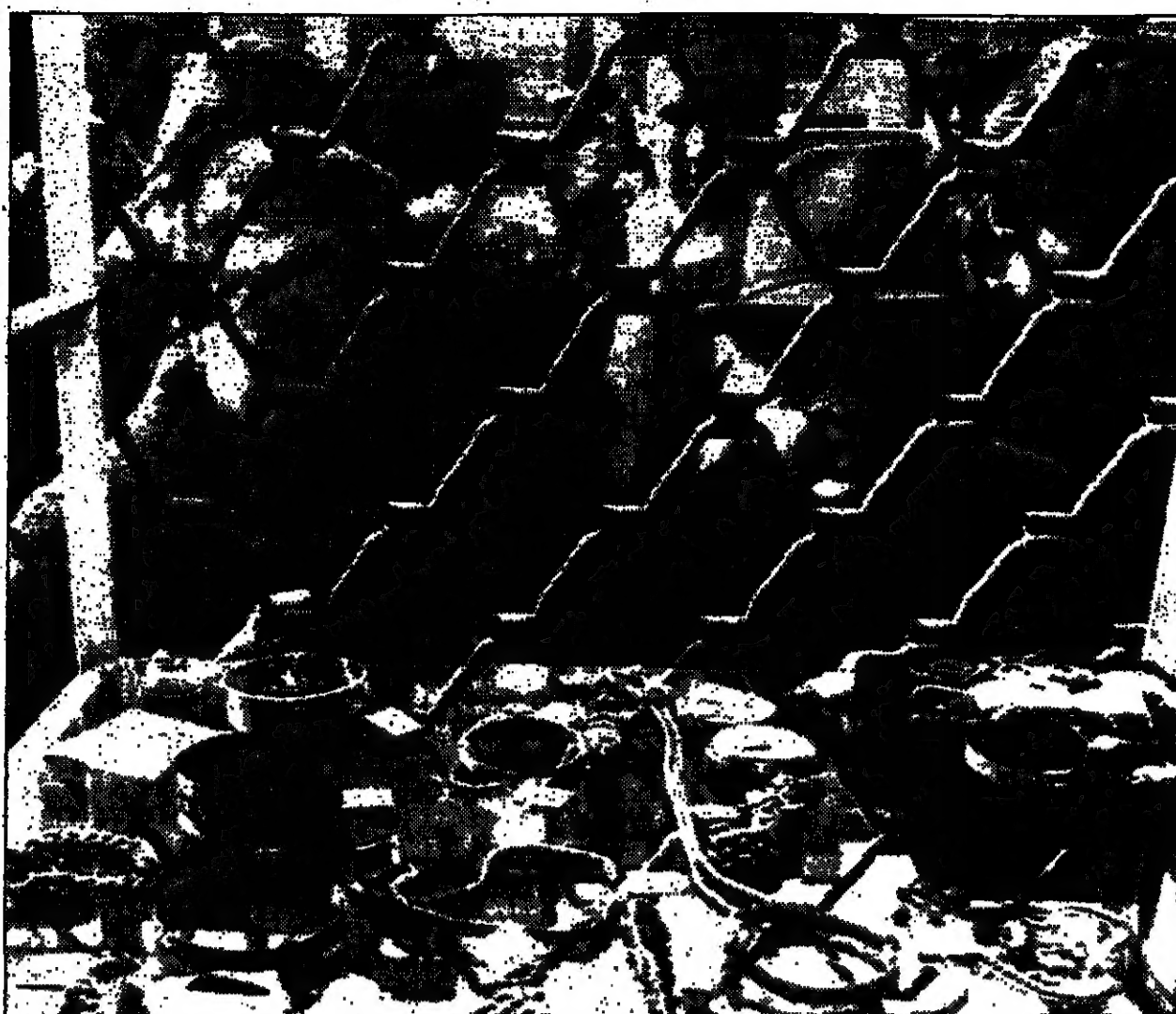
Refugees can return to Albania

From ANDREW McEWEEN in MILAN

HUNDREDS of Albanian refugees were given clearance to return home yesterday after besieging the offices of Brindisi's port authorities for two days. The decision came as an opinion poll underlined mixed feelings among Italians about the 18,000 refugees who hope to stay.

Four hundred men and a few women and children waited to board a ferry which was expected to leave for Albania last night. On Sunday, a freighter left with 2,000 people. All but 4,000 of the original 20,000 had left Brindisi by yesterday, and 2,000 were due to depart during the night for other parts of Italy. Brindisi is to seek government compensation for losses estimated at £750,000 a day.

In a poll of 1,175 Italians in three cities by *Il Corriere della Sera*, a national newspaper, just over half were in favour of the exodus and 40 per cent against; 86 per cent expressed support for the refugees while 45 per cent felt anger.



Out of reach: Romanians gazing wistfully through a private shop window full of jewellery they cannot afford. Hard currency shops have appeared since the fall of communism, while further price rises are planned for next month

Bomb hits Vilnius army base

From ANATOL LIEVEN in VILNIUS

A BOMB exploded yesterday outside a Soviet military headquarters in the Lithuanian capital, Vilnius, slightly damaging the building. There were no casualties. This follows a similar explosion last week outside the Communist Party headquarters here.

The attacks are seen as "provocation" by military and communist hardliners who are campaigning against the Baltic independence movement. There are fears that further incidents might occur during Sunday's nationwide referendum on the future of the Soviet Union.

Yugoslav divisions likely to stave off martial law

From ROGER BOYES AND DESSA TREVISAN in BELGRADE

THE collective leadership of Yugoslavia met senior army officers yesterday to find a way out of the national conflict. However, with deep divisions among army commanders and in the Serbian communist party, and mounting pressure from the West and the opposition, there seems no immediate threat of martial law.

Slobodan Milosevic, the Serbian president, has been badly bruised by four days of street protest that have seen thousands of young Serbs chanting "arrest Slobodan". The Serbian leader has caved in on almost all of the students' demands and the opposition has abandoned its round-the-

clock street demonstration in Belgrade. The protesters fear, however, that the concessions might be clawed back and that Mr Milosevic is merely stalling while trying to recover some of his lost political muscle.

On Wednesday night, more than 100 of the 150 political prisoners, held since the clashes last Saturday, were released from the capital's Padinska Skela jail. They said that for three days the warders gave them nothing to eat and they had to rely on the generosity of criminals.

"The police beat us often, from six in the morning until two in the afternoon," Milan Kilpa, a member of the Opposi-

sition Democratic party, said. Another prisoner who was released told reporters: "They put guns in people's mouths and forced them to stand for seven hours with their hands against the wall."

The collective presidency of Yugoslavia is now virtually paralysed. *Borba*, the Belgrade daily newspaper, reported that four out of the seven representatives who attended a meeting on Tuesday to impose martial law were opposed to the move.

The opposition is planning to show that it can again mobilise its young supporters by organising a demonstration on Wednesday to coincide with a session of parliament.

BELGRADE NOTEBOOK by Roger Boyes

Big Macs feed yuppie revolt

When McDonald's opened its first East European fast-food shop in Belgrade's Terazije shopping boulevard, it probably did not expect to feed a revolution. But in they fear, the smartly attired firebrands of Serbia.

"Two double cheeseburgers and a Big Mac to go for Milan." Milan is a member of the Serbian Renewal Movement and was, at that very moment, across the road whipping up the crowd. "With French fries or without?" The anti-communist speeches rolled on from the podium under the Hotel Moskva demanding the resignation of the interior minister, and justice for a dead student demonstrator. The students briefly set down their thick strawberry milkshakes to yell: "Down with the red hands."

The Serbian revolution is spreading, but its typical champion is a Balkan version of the yuppie. The newspaper kiosk and the improvised podium is doing fast trade in a magazine called *Status*. This month there are profiles of Yugoslavs, including Monica Seles, the tennis star, for women who have time to pop in to the Jet Set boutique to buy a scarf.

In all the East European upheavals, the Serbs win the fashion prize: Italian leather, Reebok training shoes, none of the proletarian grubbiness of Solidarity, nor the earnest parkas of the Czech velvet revolution.

In Poland, actors boycotted state television during martial law, and in Czechoslovakia the theatre community rallied around the crusade of Vaclav Havel, when he was a playwright. In Serbia, too, the profession is on the march. Since many theatres are run by Serbian communists, the actors have decided that the Show Must Go Off.

It is a disgrace to work for Serbian television nowadays. The student pro-

testers have been demanding an overhaul of television. Instead, the board of management was sacked and replaced by another group of journalists. The boycott continues with the most attractive presenters staying at home or inhabiting the cafes where they are treated as heroes of the resistance.

The atmosphere in the Belgrade staff canteen is as poisonous as the food. An announcer, who dared to read the news on the night of the bloody demonstration last weekend, has been driven to drinking.

The Serbian opposition realises it is in for a long haul. The demonstrations over the past few days have shaken, but not toppled, the communist regime of Slobodan Milosevic. There is a



danger of impatience on the one side and brutal repression from the other. This may be a Big Mac-fed revolution but there is a strong capacity for violence waiting to be tapped.

Vuk Draskovic, the acknowledged leader of the revolution, has a group of bodyguards who are members of a karate club. Others have guns which drop with a clunk when the young warrior sits at a cafe table. Flick-knives are de rigueur.

The big guns are in the hands of the riot police and the federal army. Apart from the student killed by a live bullet, most injuries have been from rubber bullets. If the army decides that only martial law can save communism in Serbia, then worse can be expected.

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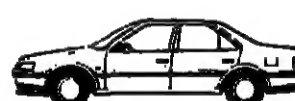


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Long distance animal transport is cruel.

Long distance animal transport is unnecessary.

Yet after 1992, Britain will be forced to comply with European laws that will make the problems of animal transport worse, not better.

You may remember the advertisements we ran as part of the campaign.

One of them featured a pony hanging from a butcher's hook. A symbol of the fate that awaits British ponies after a needlessly cruel journey across Europe.

We were forced to withdraw the advertisement.

We were criticised for being sensationalist.

And this in spite of the fact that in a recent survey* 95% of people asked supported our campaign.

(To date, over 1,000,000 of you have signed our petition demanding an eight hour limit on the transportation of live animals for slaughter.)

We're sorry if a minority found our advertising offensive.

But the conditions in which animals are transported across Europe are far more offensive.

If our critics witnessed what RSPCA inspectors have witnessed, we think they'd agree.

Animals shut in transporters for the entire length of their

journey across Europe.

That can be for up to 36 hours.

Often they get no food. No water. No rest. No sleep.

By the time they reach the slaughterhouse, many are battered, bruised and bleeding.

Some have broken limbs. Some of them are collapsing from exhaustion. Some of them are dead.

If it were dogs or cats that were suffering such cruelty, there would be a massive public outcry.

Farm animals feel pain too.

An eight hour limit on the transport of live animals for slaughter would help stop this cruelty.

It would mean animals would not have to suffer these intolerably long journeys.

It would mean that animals would have to be slaughtered much closer to the point of their production.

A far more humane solution.

But needlessly cruel long distance transport isn't all the eight hour limit would protect animals from.

On the opposite page are pictures taken from a video made by undercover RSPCA inspectors in four separate Spanish slaughterhouses.

The video is now in the hands of the European Commission and forms part of an official complaint.

It shows animals being stabbed repeatedly in the spine until they are paralysed. The slaughter-

men could not be bothered to use humane stunning methods.

It shows electrodes designed to stun painlessly being carelessly applied to a pig.

First the current paralyses the pig, then it causes a series of agonising heart palpitations.

It shows fully conscious horses', cows', pigs', and goats' throats being slit.

Our inspectors said they'd never seen cruelty like it.

At present the British refuse to transport animals to Spanish slaughterhouses like these.

After 1992, European law will oblige us to.

Obviously, we are campaigning to stamp out the illegal practices that our inspectors witnessed in these slaughterhouses.

But until we do so, the eight hour limit will help.

(If animals are prevented from being transported to these distant slaughterhouses, they won't suffer these atrocities when they get there.)

Please, we need your support.

Decisions are about to be made in Europe which will be irreversible.

We must present our case for the eight hour limit now.

If you care about animals phone 0800 400 478, and we'll tell you how you can help.

The long distance transport of live animals for slaughter is cruel and unnecessary.

It, and all the cruelty that is associated with it, should be banned.





A fully conscious horse's throat is slit at a Spanish slaughterhouse.

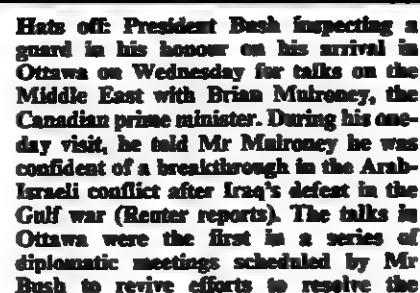
Pretoria reform stirs embers of revolt by Boers

FROM SUSAN ELICOTT IN WASHINGTON

Mr Bush sent the crime package to Capitol Hill earlier this week, drawing on his success against Iraq and borrowing on his war rhetoric to disrupt attempts by the Democrats to organise themselves to challenge his almost certain 1992 re-election campaign. Many Democrats, including southerners such as Senator Sam Nunn of Georgia, have effectively ruled out their presidential chances for

In his Gulf victory speech to a joint session of Congress last week, Mr Bush challenged the Democrat-led House and Senate to pass the crime bill within 100 days, chosen by the White House because Operation Desert Storm lasted 100 days although many Democrats predicted prolonged war. The bill is almost identical to

The release of the health department's survey also came after fresh figures were presented earlier this month confirming that the United States has the highest rate of violent crime per capita of all industrialised nations.



Palestinian problem. He was scheduled to meet President Mitterrand of France in Martinique yesterday, and will confer with John Major in Bermuda tomorrow. White House officials said Mr Bush was unenthusiastic about Mr Mahoney's proposal to hold a world summit to limit the sale of military weapons. Under the plan, such a summit would be held under the auspices of the United Nations to control the build-up of nuclear and conventional weapons.

FROM GAVIN BELL IN JOHANNESBURG

A plethora of paramilitary organisations, however, is keenly aware of the value of thousands of angry, well-armed farmers to their cause, and is actively recruiting and training them. There are estimated to be 50,000 full-time white farmers, the large majority of whom have undergone national service.

The farmers' militancy has

De Klerk faces Namibian test


FROM STEPHEN TAYLOR IN CAPE TOWN

Earlier this week Mr Gurirab adopted a tough stance in the dispute when he told the national assembly in Windhoek that Namibia was interested only in the unconditional surrender of Walvis Bay. He said that his delegation would not agree merely to Namibian use of the harbour.

A map of southern Africa. At the top, a dot marks Windhoek. To its right is the label BOTSWANA. Below Windhoek, a box contains the text 'Walvis Bay South African territory'. The country NAMIBIA is labeled below this box. To the right of Namibia is SOUTH AFRICA. The ATLANTIC OCEAN is labeled to the west of the coast. At the bottom right, a dot marks Cape Town. A scale bar at the bottom left indicates 150 miles.

Brazil's great hope seen as lot of noise

FROM LOUISE BYRNE IN RIO DE JANEIRO



Collor: his grand vision offers nothing new.

widow of
 school
 principal
 arrested

The next House in Parliament was a less sophisticated House than the House known to political The old House a different way. I think think different parties are extreme about which parties in case they choose In addition to funds, billions of black money were distributed. These are really worth thing in India, as far as we know are used these would a time to get elected Political power into more corrupt hands. The nexus between a position may pose threat to Indian than now, civil war and religious wars Corruption, too small-time, has been an MP getting off India without any asked by people or suspect corruption but an assurance in coming until a few higher level. It is knowledge that they of corporate money when the gov. announced Praty four months ago those who helped are laughing all the bank. and parliament.

Deaths

At least 14 people were killed when a gas-filled hydrogen balloon exploded in the city of Delhi, India, on Monday. The explosion occurred in a crowded market area, and the gas was believed to have been released from a leak in the balloon's envelope. The cause of the explosion is still under investigation.

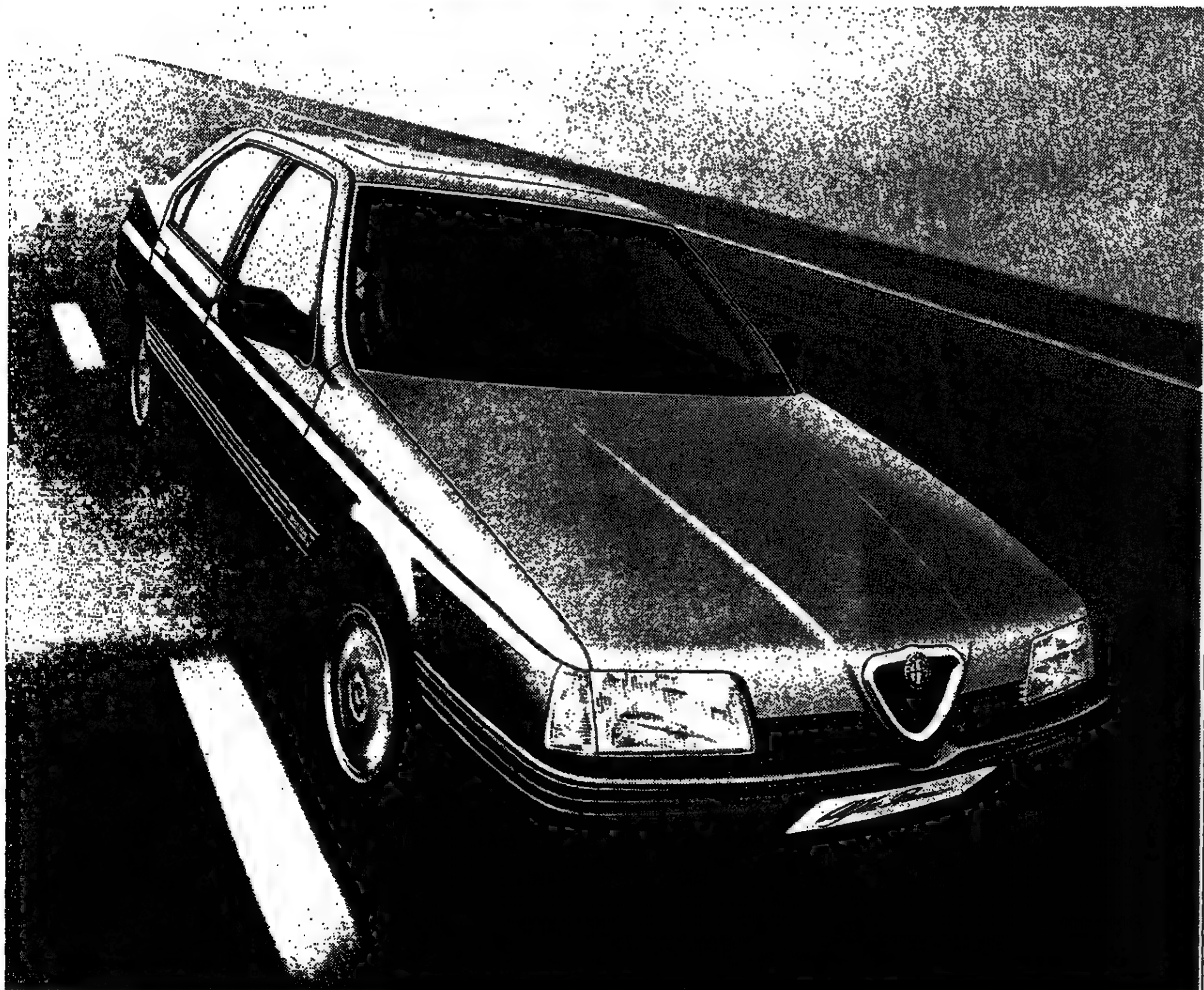
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Money oils wheels of Indian poll juggernaut

FROM CHRISTOPHER THOMAS IN DELHI

THE Indian electoral juggernaut has started to roll. The near-bankrupt country will spend hundreds of millions of pounds in the next few weeks to enable 521 million voters, the world's biggest electorate, to cast a vote in May.

A couple of million policemen will be on duty outside 600,000 polling stations, which will contain 2.4 million ballot boxes. Tens of millions of security force members will also attempt to ensure that the election takes place peacefully. Four tons of ballot papers are being printed, each featuring pictures of cows, ploughs, wheels and other images for the predominantly illiterate

electorate. There are 23 million more voters than there were at the last election 16 months ago, an average increase of more than 1.4 million a month. India is proud that it keeps the electoral rolls up to date and in reasonably good order, enabling the mammoth pre-election exercise to be completed in two months.

The wheels of democracy will be liberally oiled with money. Nobody gets elected to parliament unless he is extremely rich or well-connected. Entering politics in India is rather like starting a business. For most politicians it is simply a financial investment. Those elected use their early years in office raking in enough bribes to pay off the debts and favours that got them elected.

The fact that the last election was held only 16 months ago is a financial disaster for many politicians, because they have not had enough time to make the most of the gravy train. Many of those who are not re-elected to run for parliament will spend the rest of their lives in chronic debt.

Parliament recently passed a law substantially removing limits on corporate contributions to political campaigns. The old limits were largely ignored anyway, so it will not make much difference. Companies are extremely secretive about which parties they back, in case they choose a loser.

In addition to corporate funds, billions of rupees of black market money will be in circulation. Crime and politics are pretty much the same thing in India; some states are run by known criminals who used their wealth and connections to get elected.

Political power opens up lots more opportunities for enrichment. The increasing nexus between crime and politics may pose a greater threat to Indian democracy than riots, civil war, terrorism and religious upheaval.

Corruption, whether big or small-time, has lost its stigma. An MP getting off his train at Delhi station might be assailed by people wanting their passport applications signed, but no signature will be forthcoming until a fee is paid. At a higher level, it is common knowledge that huge amounts of corporate money were at work when the government of Vishwanath Pratap Singh fell four months ago. Some of those who helped topple him are laughing all the way to the bank, and running for parliament.

Widow of top school principal murdered

Delhi — Police are investigating the murder of Mady Martyn, the widow of the last British headmaster of Doon school, one of India's most renowned educational institutions (Christopher Thomas writes).

She was found dead in bed at her home in Dehra Dun, Uttar Pradesh, where the school is located. Mrs Martyn, aged 70, did charitable work, including setting up a village school outside Dehra Dun, and she maintained contact with generations of Doon old boys.

It is believed that she was killed by burglars and was found by her servant last Friday morning. A Roman Catholic funeral was held in Dehra Dun on Monday, attended by several hundred people, after which she was cremated, Hindu-style.

She moved to India as a teenager when she married an Indian engineer. She was widowed after 25 years and then married John Martyn, who was Doon headmaster from 1948 to 1966.

Fire kills 13

Manila — Thirteen women were killed when fire engulfed a Manila garment factory, trapping them in their sleeping quarters, police in the Philippines said. Nine workers were injured as they leapt to safety and six were reported missing. Investigators said the two-hour blaze followed an explosion. (Reuters)

Tamil bombing

Colombo — Tamil rebels blew up a railway bridge in eastern Sri Lanka just before a train with 500 passengers crossed it, but nobody was seriously injured. It was apparently aimed at stopping supplies to troops fighting them north of Vavuniya. About 40 rebels have been killed or wounded in three days. (AP)

Girder deaths

Tokyo — At least 14 people died yesterday when a girder in a section of elevated railway under construction crashed onto cars in Hiroshima. Eight people were confirmed dead at the scene and six died later in hospital. Eight people were injured. (Reuters)



Singh corporate money involved in his downfall



Leader of the pack: Susan Butcher, who has won the 1,163-mile Iditarod sled dog race four times, setting out on the final leg of her journey across the pack ice of the Bering Sea to Nome, Alaska. Butcher is in the lead as she tries to win the title for a record-breaking fifth time and her closest challenger, Rick Swenson, has also won the race four times

Kidnapping claims mar Pakistan poll

FROM ZAHID HUSSAIN IN KARACHI

THE Islamic Democratic Alliance, led by Mian Nawaz Sharif, the prime minister, swept the Senate polls yesterday amid charges of strong-arm tactics, including kidnapping, to prevent opposition members from voting.

The alliance won at least 32

of the 42 seats at stake while the Pakistan People's Party, led by Benazir Bhutto, won only three seats, in her home province of Sind. The remaining seats were won by the smaller parties. The senators were elected by the 450 members of the four provincial

assemblies and members of the National Assembly.

The elections in Karachi took place in a tense atmosphere as the opposition accused the government of kidnapping five members. They were allegedly arrested by the police last week but the

government has denied that any were in police custody.

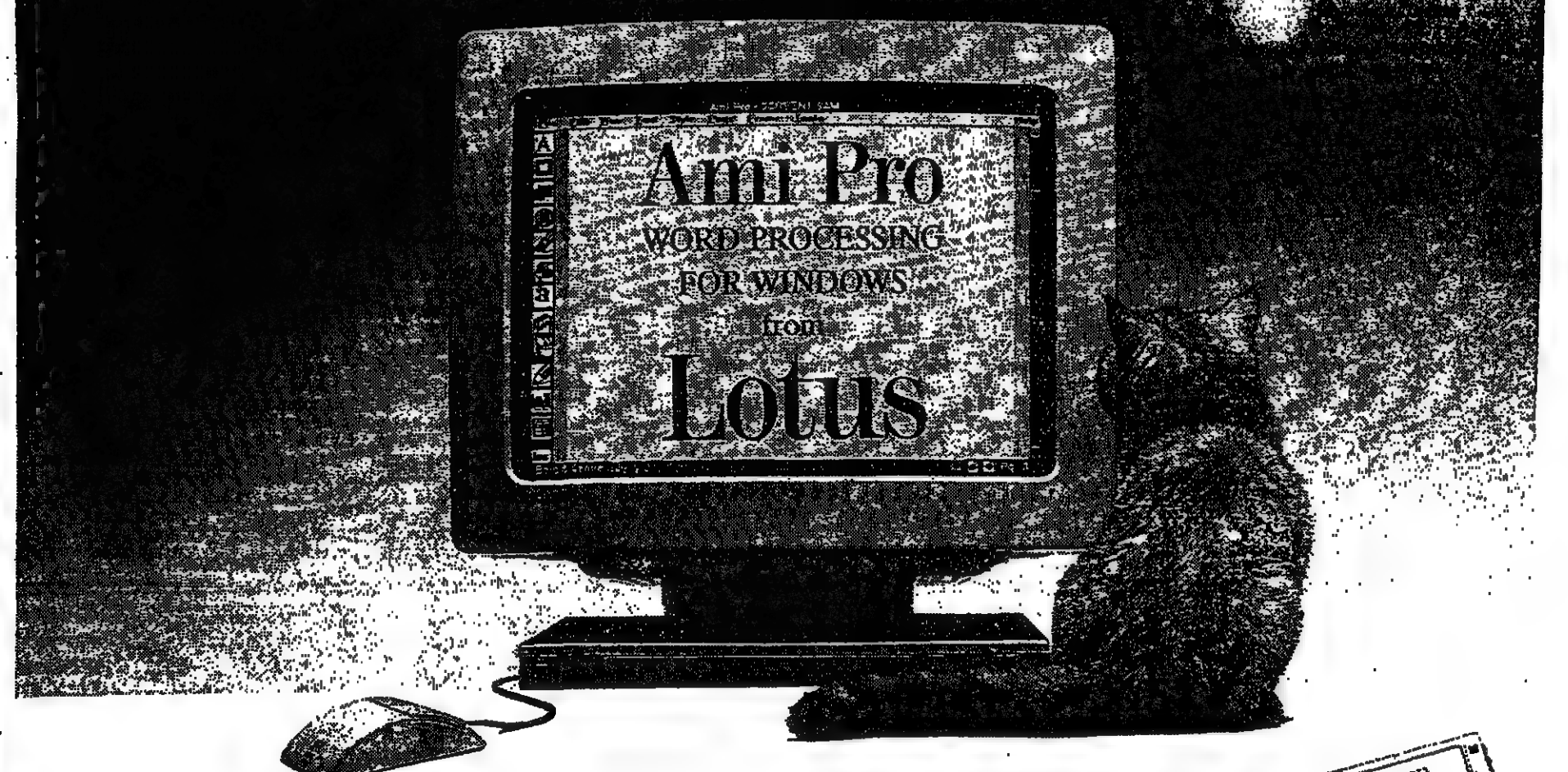
The opposition members were escorted to the assembly building by armed police on the orders of the electoral commission, as opposition leaders feared that they would be prevented from voting.

Dalai Lama's talks in London anger Peking

CHINA said yesterday that it disapproved of next week's meeting between the Dalai Lama and Lord Mackay of Clashfern, the Lord Chancellor (Our Foreign Staff write). The exiled Tibetan leader arrives in London on Sunday, 32 years to the day since he fled Lhasa after the Chinese invasion. He is due to meet Lord Mackay on Wednesday during a parliamentary all-party meeting chaired by the Lord Chancellor.

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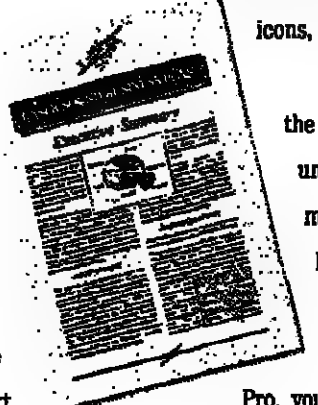
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Japanese men pay back dues of love

FROM JOANNA PITMAN IN TOKYO

TENS of millions of embarrassed Japanese men yesterday presented gift-wrapped underwear to the women in their lives. As a custom that takes sexual equality just about as far as it will go in Japan, March 14, or White Day, is designated for showering wives, mistresses and secretaries with underwear, chocolates, scent or flowers.

The thought, however, may not be entirely voluntary. Most White Day presents represented the girl or duty response to gifts received a month ago on St Valentine's day, when Japanese women were expected to buy chocolate delicacies for their men.

Yuichi Kato, aged 45, an office worker, selected a chocolate teddy bear for his secretary. Stumped with the words "Thank you for everything, from your boss", the bear reflected his gratitude for her efforts in tidying his desk every morning and repaid the chocolate girl golf balls that

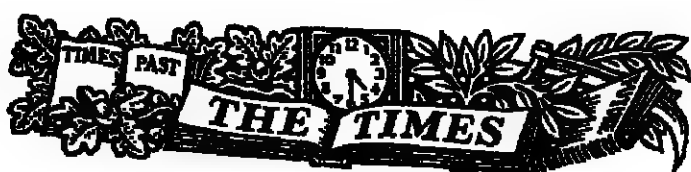
she had given him a month ago. His wife, who washes his socks and runs his bath every day, received a chocolate bunny. To his mistress, he gaily presented a pair of pearl-encrusted silken panties, which cost him £120.

With the introduction of White Day, Japanese commercial cunning has doubled the benefits of St Valentine's day sales. The chocolate industry alone estimates its White Day profits will total about £100 million. Wacoal Corporation, a leading lingerie manufacturer, expected to sell more than 500,000 pairs of luminous panties, the latest craze.

Keiko Mizukami, aged 25, believed her haul would save her from buying any more underwear for at least six months. "I gave Valentine's gifts to my boyfriend, six male work superiors, my landlord, and my company chairman. The investment paid off," she said.

Westminster today publishes its own which it decides unequivocally on behalf of its residents and tourism and officers. That those of Thatcherville administration long to anything as dirigiste as a indication of the way British offices is turning. Here are proposals for office development, restrict tall to preserve conservation areas, lay the rules of shopping footpaths, deter to hotels and keep theatres in being, planning at its most fierce, no doubt the people of Westminster want to be seen as the next, up-river sister of London, Westminster is sure of just cities of Europe. It is that the Square Mile as Britain's financial and financial capital. Offices of the West End are now as high as in the City and rising faster. Foreign firms coming to London no longer come for the huge trading floors that the City fathers in the 1950s. They come for the style and culture of west London. The 19th and 19th-century street scene, the relative absence of giant postwar towers. They are voting for conservatism in their wallets.

But the City has demolished most of its old streets. Westminster has permitted the Victorian and Victorian architectural ab to commerce.



AN URGENT COMMISSION

The quashing of the Birmingham Six convictions has partly vindicated British justice. A grave miscarriage has been corrected, but only after countless other opportunities for correction were missed. Kenneth Baker, the home secretary, has decided that nothing short of a royal commission on the reform of the criminal justice system is now needed. But the commission, under Lord Runciman of Doxford, is to have two years to deliberate, precisely the expanse of time beloved of British politicians and lawyers eager to shelve a nasty question. Fast track was what was needed for this reform. Mr Baker has opted for slow track.

Part of the matter of this enquiry will be the appeal court's procedural method, and whether it should be adversarial or inquisitorial. As an example to others, the commission itself should be decidedly inquisitorial, an active search for answers rather than a detached and leisurely arbitration between views submitted.

But the commission should stay away from the details of the Birmingham case. It must now be recognised that the Six did not commit the crimes for which they spent 17 years in custody. Mr Justice (now Lord) Bridge said at the original Birmingham Six trial in 1975 that if the defendants were innocent, the police must have been involved in one of the greatest conspiracies in legal history. Whether there was such a conspiracy is now a proper matter for a criminal investigation. But the reform of criminal justice cannot wait for that.

When similar loose ends were left following the quashing of the Guildford Four convictions in 1989, the government asked Sir John May to preside over an ad hoc enquiry into what had gone wrong and who was responsible. The case of the seven members of the Maguire family, wrongly accused of supplying the Guildford bombs, was included in his brief. The review of scientific evidence in the Maguire case led directly to the Crown's decision that scientific evidence in the Birmingham case

was also unsafe. Now Sir John is to join the royal commission, though his own Guildford investigation is still in progress. He should be allowed to extend it to take in the remaining loose ends of the Birmingham Six case, keeping them separate from the commission's general brief. There are two areas needing to be explored.

The first is the conduct of prosecution lawyers and the public prosecutions office. There have been no suggestions of criminal conduct, but there have been some of unprofessional behaviour. Did the prosecution withhold evidence that should have been disclosed, as the defence has claimed? To what extent are the vices of the system then built into the Crown Prosecution Service now? Is winning the case rather than finding the truth still the driving force?

Second, the government's forensic science service emerges from the Birmingham case, as from the Maguire and Guildford cases, with its reputation damaged. This has been offset by its conscientious application of new scientific techniques to expose the flaws in earlier evidence. But the reliability of scientific evidence cannot rest solely on the integrity of scientists working for the prosecution. They have been proved fallible.

The case for an independent forensic science service, as available to the defence as to the prosecution, now seems unanswerable. This should not have to wait for the royal commission to report, though it could be a further element in the change to an inquisitorial method for dealing with criminal appeals. The court of appeal, or whatever body replaces it, should be able to direct its own lines of scientific enquiry, just as it should be free to initiate and direct police investigations.

The case of the Birmingham Six, like the earlier Guildford Four and the Maguire Seven, tested the British criminal justice system to its limit and found it wanting. Sir John May and Lord Runciman should beat their deadline to end the scope for such injustice again.

BAKER INCHES FORWARD

The United States of America has never had more leverage on the politics of the Middle East and may never have as much again. Though James Baker's energetic sounding of Arab and Israeli leaders this week has produced no breakthrough, none could have been expected so soon. President Bush must have been tempted to rest content with Iraq's military defeat, rather than risk America's newly-won reputation among Arab leaders by plunging again into this most intractable of disputes. He decided instead to capitalise on the political fluidity created by Iraq's invasion of Kuwait. But bringing the Arabs to accept Israel's existence in fact and in law, and persuading Israel that it is safe to abandon territories occupied for nearly 24 years, remains far off.

Mr Baker left Damascus yesterday for Moscow expressing his conviction that the risk of renewed American mediation has been worth taking. He claims to have discerned a genuine "window for peace". In Middle Eastern terms it was progress to visit Saudi Arabia, Egypt, Israel and Syria within ten days to talk substance, without being denounced by any government or even by the Palestinians. That was not simply a feat of personal charm. America's policy, ever since Iraq invaded Kuwait last August, of constantly consulting Arab leaders laid the ground. This trip was an outgrowth of that cooperation. But optimism is founded on more than the absence of raised voices.

Mr Baker is sticking to the "land for peace" formula first laid down after the 1967 six-day war in UN resolution 242. He has yet to secure even a provisional commitment by any Arab government to follow Egypt's example under the Camp David accords and recognise Israel. Yet he found them all, even Syria, prepared to go beyond the usual stereotyped condemnations of Israel. The Israeli prime minister, Yitzhak Shamir, acknowledged on Wednesday that the Arabs now "talk of accepting Israel as a fact", and

that is immense progress. There are corresponding flickers of flexibility among Israelis and even Palestinians.

Israelis are relieved that Iraq has had its fangs drawn but remember their long-term vulnerability to the attacks on Tel Aviv by medium-range Iraqi missiles. They know that this moment offers their best chance to win a permanent settlement without having to talk to the PLO. Mr Shamir has suggested that he would be prepared to modify the Shamir plan for limited Palestinian autonomy following elections in the occupied territories, by proceeding to negotiate a permanent solution, whether "territorial or not territorial".

The PLO, thanks to Yasser Arafat's espousal of Iraq's cause, is hopelessly out of step and Palestinian statements this week reflect that confusion. The 11 points Palestinian leaders set before Mr Baker in Jerusalem are, for the first time, genuinely negotiable. Arab leaders' commitment to the Palestinian cause has been a function of their enmity against Israel. If Arab governments decide to settle that quarrel, the Palestinians know they will have far less leverage than they would have had before the Gulf war. King Hussein of Jordan still insists that Israel must talk to the PLO as "sole legitimate representatives" of the Palestinians. But having burned his bridges with America (and fellow-Arabs) in order to survive the Gulf war, his is a weak hand. He cannot afford to be uncompromising.

The beginnings of an agenda therefore exist. Mr Baker should not be rushed into a peace conference. He must first build, as he says, "a step at a time" on existing small points of agreement, making each point steadily more important to both sides. Having demonstrated his commitment to speed he must be allowed — above all by European governments who tend to denigrate American skills in the Arab world — to take his time. On no account must he give up.

WESTMINSTER WISDOM

The City of Westminster today publishes its local plan, in which it decides unequivocally to retrench on behalf of its residents and against tourism and offices. That this paradigm of Thatcherite administration should stoop to anything as dirigiste as a plan is an indication of the way British urban politics is turning. Here are proposals to restrict office development, restrict tall buildings, preserve conservation areas, lay down the style of shopping frontages, deter intrusive hotels and keep theatres in being. This is planning at its most fierce, no doubt what the people of Westminster want.

Often seen as the meek, up-river sister of the City of London, Westminster is one of the great cities of Europe. It is fast challenging the Square Mile as Britain's commercial and financial capital. Office rentals in the West End are now as high as in most of the City and rising faster. Foreign companies coming to London no longer clamour for the huge trading floors that obsessed the City fathers in the 1980s. They seek the style and culture of west London, the attractive 18th and 19th-century streets and the relative absence of grim postwar architecture. They are voting for conservation with their wallets.

Where the City has demolished most of its historic streets, Westminster has permitted its Georgian and Victorian architecture to be adapted to commercial use. It has struggled to keep residential areas residential. In a recent, dramatic assertion of planning power, the council has even insisted that

office properties in Mayfair (including Park Lane) revert to residential use when postwar temporary planning permits expire. It has also declared an absolute height restriction of 12 storeys — probably four too many — and will insist on higher buildings coming down to that level in any redevelopment.

This is an imaginative step to take against such outrages as the high-rise hotels and office blocks imposed on the city by the Macmillan and Wilson governments, usually in breach of local by-laws. The curse of London's postwar appearance, in contrast to Paris, has been that the best-lead plans go awry when national politicians decide to override them, as with the Hilton Hotel, the Shell Centre and the ugly hotels that tower over Knightsbridge, Bayswater and Kensington.

The message from Westminster's experience is simple. Only vigorously enforced local planning can hope to preserve the visual and architectural integrity of a city, and thus retain its appeal to existing and to new residents. Westminster is one of Britain's most conservation-minded cities, with 12,000 historic buildings and 70 per cent of its land within conservation areas. That such a city can afford to turn away commerce is testament to the value of that conservation. The City of London, an arch-enemy of conservation about to see another of its conservation areas destroyed by Lord Palumbo, must look to its laurels. They are not to be found in concrete high-rise.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9KN Telephone 071-782 5000

Responsibilities of women who choose 'virgin births'

From Mr Brian Reay

Sir, Had the single woman who has chosen to undergo fertility treatment in order to conceive (reports, March 11, 12, 13; letters, March 14) preferred the method of casual sex (risking infecting herself and her child with Aids, hepatitis, etc.), nothing would have been said.

However, because she chose a more responsible route, she is being judged by narrow-minded self-appointed moral "experts". Her child will be born into a home where it is both wanted and planned for; what can be wrong with that?

Just because a woman chooses not to have sexual relations with a man does not mean she is likely to be a poor parent. If the presence of a father is so crucial to a child's well-being, are we to take away the children of divorced, widowed or unmarried mothers?

Yours faithfully,
B. REAY,
497 Maidstone Road,
Wigmore, Gillingham, Kent.
March 14.

From Mr Robin Blake

Sir, The debate about "virgin birth" shows what a road we have travelled back since the sexual revolution of the 1960s. Among the great achievements of that time was the lifting of the age-old stigma associated with women's sexuality, and an end to the view of pregnancy as a penalty exacted from unmarried females wicked enough to enjoy sex.

First, new techniques of contraception exorcised the spectre of unwanted conception. Then feminists and libertarians moved against restrictive abortion laws, the remnants of a dead morality. "A woman's right to choose" became their battlecry.

But it was not merely a matter of choice. It became obvious to any thoughtful person that a satisfying sex life, free of guilt, is a necessary condition of health. By the same token, "repression" was seen as the root of much crime, psychological disease and social conflict.

We now debate this latest medical-moral development in a very dif-

ferent climate. As the clouds of pornography, rape within marriage and child sex-abuse hang over us, many are tempted to try shoving sex back into Pandora's Box and locking the lid.

Yesterday, on BBC Radio Four, I heard a representative of a charity for the childless speaking in support of women who want the psychological fulfilment of parenthood "without paying the penalty of intercourse".

Yet, overstated though it may have been, was the 1960s appraisal of sex so far off-beam? And would we serve children well by teaching them that intercourse is a pain and a penalty from which the clinical judgment of doctors can deliver us?

Yours faithfully,
ROBIN BLAKE,
34 Ockendon Road, NI,
March 13.

From Mrs Richard Parkes

Sir, The potential for misery in the lives of the products of "virgin births" illustrates itself in the reasons that several advocates cite as justification for "virgin" motherhood: they are women with a lot yet to give; they want somebody to love; they will provide better homes for children than countless emotionally and materially deprived people are able to do.

This is perfectionism of a sort most unhealthy to a child, who will tragically deduce that he has been custom-built solely with the purpose of perfecting for his mother a world that she regarded as imperfect. The harm that may be done to a child by complete dependence on one frightened woman should not be underestimated.

Yours faithfully,
JANET PARKES,
The Old Vicarage,
Bowerchalke,
Nr Salisbury, Wiltshire.
March 12.

From Mrs Valerie Thoresby

Sir, I note in your report (March 12) that the British Pregnancy Advisory Service may consider a client suitable for artificial insemination if she is unable to "conceive with a male partner for a variety of reasons, including social, emotional, medical and psychosocial problems".

Apart from the obvious social issues facing the mother, surely this is just the sort of woman who would not be suitable for parenthood?

Yours sincerely,
VALERIE THORESBY,
12 Westford Road, SW12,
March 12.

From Mr Douglas Lowndes

Sir, What sort of man is it who would give away his unique genetic characteristics to a bunch of scientists for use at their discretion (or at random, for all he knows) in the technical production of a child he may never see by a woman with whom he might be wholly incompatible if they were ever to meet?

Yours faithfully,
DOUGLAS LOWNDES,
1 Colville Court,
Great Missenden, Buckinghamshire.
March 12.

No 1 Poultry

From Mr Francis Nott

Sir, I was arrested in 1927-8 to a solicitor who practised in the "Mappin & Webb" block (No 32 Queen Victoria Street). I can say, without a shadow of a doubt, that it was out of date then and had anyone in the City suggested, at that time, it should be preserved on aesthetic grounds he would have been thought mad.

It is, Sir, an inadequate building on an important site. Whether the proposed new building is any better aesthetically is in the eye of the beholder, but it can hardly be more inefficient.

I am, Sir, yours faithfully,
W. F. B. NOTT,
23 West Place, SW19.

From Mr Douglas E. Deeks

Sir, My father spent his entire working life, over 50 years, at 12 Queen Victoria Street, part of the Mappin & Webb site. During my school holidays in the 1940s I would earn my pocket money by helping him in his printers' and stationers' shop at ground and basement levels. Maybe it is an elegant building; I can only recall it as an insanitary slum even at that time.

Yours faithfully,
D. E. DEEKS,
(Chartered architect),
6-7 Crown Passage, SW1.

Religious perspectives

From Canon Michael Seward

Sir, I should not wish to question most of Karen Armstrong's convictions ("Original sin in a syringe", March 12) concerning the damaging views about human sexuality propounded by the later patristic fathers, but I challenge her unqualified assertion that the "virgin birth" was "a late addition to the original story" and "a mythical expression of a religious truth".

What is "late"? The creedal statement, "born of the Virgin Mary", is rooted in two separate gospel traditions, is twice asserted ("actually born of a virgin") by Ignatius of Antioch (c. 110) who was bishop of the same town in which Paul had developed his Christian faith and from which Matthew's gospel probably derives.

It is again explicitly taught by Irenaeus (c. 180) and in the Interrogatory Creed of Hippolytus (c. 215). It is hinted at in John's gospel and by Paul and was nowhere regarded as being inconsistent with the incarnation of Jesus of Nazareth until attacked by pagans, Jews, and Muslims. Both Luke and Matthew identify the time, place, and family involved, giving no suggestion that they are describing "a mythical expression of a religious truth".

It is particularly intriguing to realise that Jewish tradition did not expect, or require, that the coming Messiah should be born of a virgin intacta (despite the questionable Septuagint translation of the Hebrew "young woman" as "virgin") and the pagan mythological goings-on between gods and young women might well have made evangelism more difficult in the Greek-speaking communities if a "virgin birth" were to be an additional part of the gospel package.

Critical scholarship has long argued that "heraldic" readings are likely to be authentic ones. Since there was no positive advantage to be gained for Christian evangelism by the invention of a "virgin birth,"

surely the more probable conclusion, when coupled with the earliest patristic evidence, is, however surprising and unexpected such an event might have been, that it actually happened.

If that were to have been the case, as Luke and Matthew clearly believe, then no compelling reason could have persuaded them to withhold the factual truth. Why deny what actually happened?

Yours faithfully,
MICHAEL SEWARD,
Chapter House,
St Paul's Churchyard, EC4A,
March 12.

From the Chaplain of Christ's College, Cambridge

Sir, Although Karen Armstrong is correct to say that Saints Paul and Mark do not refer explicitly to the virgin birth, they do show awareness (and acceptance) of the tradition, by (inter alia) their exclusively female references to his heritage (Galatians 4:4, Mark 6:3).

Secondly, it is not true to say that "Luke did not see Jesus as the incarnate son of God, but as a prophet". (Of course, these are not mutually contradictory categories). "The Holy Spirit will come upon you... and therefore the holy one to be born will be called the son of God" (Luke 1:35).

Indeed, the most likely reason for Luke's inclusion of the virgin birth tradition in his gospel is to counter any adoptionist idea (which might have been read into Mark's gospel) that Jesus only became son of God at his baptism. Luke insists that he was the son of God from his conception.

Lastly, there is in any case no real parallel between the alleged oddness of the conception of Jesus and the recent Birmingham case. In the latter, a human father is still involved, albeit at one remove.

Yours faithfully,
MICHAEL LLOYD,
Christ's College, Cambridge.
March 12.

Service in the Gulf

From Mr John Harwood-Stevenson

Sir, The relationship between England and France has been fraught with so strong a mutual suspicion that it is good to be able to pay our neighbours a compliment from the heart. The French forces in the Gulf received virtually no attention from our media, yet in the event the part they played was of the greatest distinction. They were the outer edge of the allied advance, moving with breathtaking speed and assurance to a position deep inside Iraq.

France, *mère des armes, des arts et des lois* — well done!

Yours etc.,

JOHN HARWOOD-STEVENSON,
4 Paper Buildings, Temple, EC4.

From Ms Jeanne Baer

Sir, This letter is an effort by one American (but indicative of the thoughts of many) to thank the British people, your government, and your very impressive Prime Minister, John Major, for their immediate and unflinching moral and physical support of coalition aims and actions regarding the Gulf. There is indeed a "special relationship" between our two countries. May that ever be so.

Sincerely,
JEANNE BAER,
307 East 44th Street,
New York, NY 10017, USA.

Kurdish autonomy

From Mr Jean-M. Nater

Sir, Geographically speaking, as Lord Kilbracken states in his letter of March 4, "Kurdistan" may indeed be called a "single, homogeneous area". However, the Kurdish people have never joined together in a Kurdish nation-state, and throughout their history they have been torn apart by tribal rivalries.

In Iraq alone, they are made up of about 18 tribes, each with its own traditional territory and ruled by its own chief or sheikh. Sadly, hemmed in on all sides by hostile states and preoccupied with their inter-tribal rivalries, they have never learned to govern themselves.

Even during the short period of British tutelage (1918-32) Kurdish aspirations for autonomy were given short shrift. Kurdish revolts were put down by the Iraqi army and the Iraqi levies (an Assyrian/Christian corps, British-officered, of natives of the same mountains of

"Kurdistan" and their bitter enemies), backed up by the RAF which intermittently bombed Kurdish villages from 1923 to 1932, in order to restore the authority of Baghdad.

If, by the grace of God, a federal, democratic government could be established in Baghdad, it is unlikely that Iraq would accede to one of the principal requirements of the Kurdish nationalists, namely the relinquishment to them of the oil fields within Kurdish territory.

It is also difficult to believe that either Turkey or Iran, both authoritarian and centrally-controlled states, would accept the establishment of an autonomous Kurdish region within a federal Iraqi state which would encourage the spirit of self-rule in their own Kurdish areas.

The Turks have tried to obliterate the very notion of "Kurdism". Their own Kurds, who are referred to as "mountain Turks", live in an area around the headwaters of the Tigris and Euphrates rivers where the Turks have almost completed the

construction of two huge dams for hydro-electric power and irrigation. With their brothers in Iran and Iraq aspiring to an independent state, the Kurds would then be in a position to control most of the water in eastern Turkey, Syria and Iraq.

Equally, the Iranians have always put down all Kurdish attempts to diminish the authority of the central government in Tehran (the first Kurd I ever saw was hanging from a Persian telegraph pole in 1933).

The young people of "Kurdistan" must not give up their vision of unity and self-determination; but they must look to themselves and learn from the mistakes of their fathers. Above all, they must understand and sympathise with the problems of the non-Kurdish people living in the surrounding remnants of empire.

Yours faithfully,
JEAN-M. NATER,
The Coach House, Broadhayes,
Stockland, Honiton, Devon.

Police view of disaster on M4

From the Chief Constable of Thames Valley Police

Sir, Whenever a tragic incident occurs as on the M4 yesterday, there seems to be a tendency — it is almost becoming a national obsession — to try to blame someone, usually the emergency services who are most involved in the difficult, stressful job of dealing with the aftermath. I was therefore disappointed to read the headline (early editions) in today's *Times*, "Police are blamed for M4 disaster".

May I therefore, through your columns, make clear the single, obvious point that yesterday's tragic accident was caused by bad driving, not the Thames Valley Police.

It is suggested that my officers failed to put on motorway warning signs and by implication this contributed to the accident. That my officers did not activate these particular signs because of fog was consistent with national police policy, supported by all chief constables and the Department of Transport.

It is also a sensible policy. The matrix signs on the M4 are comparatively old ones with limited flexibility: they are capable only of indicating advisory speed limits and lane closures. They are not capable of providing warnings of adverse weather conditions or other hazards. For this reason it is inadvisable to try to use them for blanket fog (which is anyway obvious to the motorist, who can then take commonsense precautions) because, if an incident or accident occurs, it is then impossible to indicate to motorists the existence of that unforeseen hazard.

Yesterday, it was precisely because of this policy that we could turn on the signs after the accident and give warning to thousands of other motorists, thus preventing further accidents. To have turned on the signs just because of the fog would probably not have prevented the accident and it would certainly have stopped police from being able to prevent the possibility of further serious damage, injury or loss of life.

The signs on the M4 should not be confused with some other experimental signs elsewhere in the country which are specifically designed for warning motorists of fog. The obvious remedy for accidents such as this lies in sensible, careful driving.

We in Thames Valley send our deepest sympathy to the relatives of the victims of the accident. I am proud of the very high standards of bravery, professionalism and care which our officers, together with members of the other emergency services, were able to provide to those sadly caught up in this horrible accident and to the wider motoring public.

Yours faithfully,
CHARLES POLLARD,
Chief Constable,
Thames Valley Police,
Kidlington, Oxfordshire.
March 14.

From the Managing Director of the British School of Motoring

Sir, I share in the universal sadness caused by the unnecessary loss of life in yesterday's devastating carnage on the M4. There is, however, a response to the question posed by Inspector Terry Sharp, who was at the scene of the accident, who asked: "When will they ever learn?" The answer is "when they are taught".

No one in this country is under any obligation to undertake any form of motorway instruction. Any one, with no more than 20 or 30 hours' driving experience at low speeds, can drive on a motorway the moment they have passed their driving test.

Motorway driving requires an entirely different technique from urban driving. Conceptualising speed is difficult for the novice, and indeed sometimes for the more experienced driver. It takes just two or three hours of professional tuition to provide a driver with skills that can be life-saving.

These tragedies are avoidable. We must blame ourselves for not taking the necessary positive action to prevent them.

Yours faithfully,
RICHARD GLOVER,
Managing Director,
British School of Motoring,
81/87 Hatfield Road, SW19.
March 14.

Taking silk?

From Mr E. E. Sampson

Sir, Thank you for explaining why my annual rail season ticket is so expensive with your account (March 14, later editions) of the magistrates' order that Mr Malcolm Stuart pay £50 compensation to British Rail for damaging the shirt of one of its supervisors by writing on it with his pen.

It has long been evident to me that there is insufficient investment in new Network SouthEast rolling stock or a leak-proof roof at Waterloo. I now see that I have completely underestimated the cost of the railway staff's uniforms. Could I suggest BR take a large lorry to a high-street chain store? They would save at least £35 on each item.

Yours sincerely,
ERIC SAMPSON,
2 Tremance, Goldsworth Park,
Woking, Surrey.
March 14.

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — (071 782 5046).



COURT CIRCULAR

BUCKINGHAM PALACE
March 14: The Prince Edward is visiting the Royal Air Force Museum, Hendon, to meet the families of personnel serving in the Gulf.

His Royal Highness was received by Group Captain I. French, RAF (Station Commander).

Lieutenant-Colonel Sean O'Dwyer was in attendance.

BUCKINGHAM PALACE
March 13: The Princess Royal, Chief of the Royal Naval School, received the Commandant A. Larkins.

WRNS on relinquishing her appointment as Director of Women's Royal Naval Service and Commandant A.C. Spencer, WRNS upon assuming the appointment.

March 14: This morning The Princess Royal attended the Scottish Prison Officers' Association 1991 50th Anniversary Annual Conference at the Dunblane Hotel, Dunblane, and was received by her Majesty's Lord-Lieutenant for Stirling and Falkirk (Lieutenant-Colonel James Stirling of Gordon).

Mrs Andrew Feilden was in attendance.

KENSINGTON PALACE
March 14: The Prince of Wales, President of the Royal Agricultural Society of England, gave the Society's Annual Lecture at the Royal Commonwealth Society, Northumberland Avenue, London SW1.

Commander Richard Aylard, RN, was in attendance.

The Princess of Wales visited Royal Air Force Finningley, Doncaster, South Yorkshire.

Subsequently, Her Royal Highness visited 16 Air Defence Regiment Royal Artillery, Hemswell, Lincolnshire.

Finally, The Princess of Wales visited Royal Air Force Scampton, Lincolnshire.

Viscountess Campden and Squadron Leader David Barton, RAF were in attendance.

KENSINGTON PALACE
March 14: The Duke of

Gloucester today visited Kent and was received by Rear-Admiral Colin Dunlop (Deputy Lieutenant of Kent).

In the morning His Royal Highness opened the Building Conservation Centre at West Kent College, Royal Tunbridge Wells and subsequently attended a luncheon to celebrate the opening of the Centre at Penhurst Place.

In the afternoon The Duke of Gloucester visited the Historic Dockyard, Chatham, Kent.

Major Nicholas Barne was in attendance.

YORK HOUSE
ST JAMES'S PALACE

March 14: The Duke of Kent, Honorary Liverman, this evening attended a Presentation Ceremony of Honorary Freedom followed by Dinner at the Worshipful Society of Antiquaries of London, Black Friars Lane, London EC4.

Commander Roger Walker, RN was in attendance.

The Duchess of Kent this afternoon visited 38 Engineer Regiment, Ripon; Royal Air Force Catterick and the Duchess of Kent's Military Hospital, Catterick, North Yorkshire to meet families of personnel deployed to the Gulf.

Mrs Peter Troughton was in attendance.

THATCHED HOUSE LODGE
March 14: Princess Alexandra, Patron, this afternoon opened Phase 1 of the building programme, including the new theatre and workshop, at the Central School of Speech and Drama, Embassy Theatre, Eton Avenue, London NW3.

The Lady Nicholas Gordon Lennox was in attendance.

Her Royal Highness, Patron of the Cystic Fibrosis Research Trust, later received the Chairman, Mr Peter Levy, Mrs Barbara Bentley and Mr John Edkins.

Afterwards, Princess Alexandra, as President, received Mr Martin Laing, Chairman of World Wide Fund for Nature-UK.

OBITUARIES

LORD KABERRY OF ADEL

Lord Kaberry of Adel, an influential figure in Conservative circles for more than 30 years and formerly MP for North West Leeds, died on March 13 aged 83. He was born on August 18, 1907.

LORD Kaberry of Adel, a senior Conservative politician who served in the Commons under every leader from Churchill to Thatcher, survived German dive-bombers on the Dunkirk beaches only to fall a victim to IRA terrorists in London.

Although he was not severely wounded in the attack on the Carlton Club last June he suffered from shock and smoke inhalation and was unwell continuously until he died in hospital in his native Leeds on March 13.

Donald Kaberry was educated at Leeds Grammar School, of which he later became a governor. Three factors dominated his early days: the law, politics and the coming war. He was admitted a solicitor in 1930, the year in which he was first elected to Leeds City Council at the age of 23. He had already made his name locally for his work in the Junior Imperial League, the forerunners of the Young Conservatives, and he went on to become its national vice-chairman for three years.

His local government work was interrupted in 1939 and he served in the Royal Artillery until 1945. By the time the Germans invaded the Low Countries Kaberry had become a battery commander and for his conduct during the Dunkirk evacuation he was mentioned in dispatches. He took part in the campaign in North West Europe, fighting across France, Belgium and Germany, and was mentioned in dispatches for a second time. He was demobilised with the rank of colonel after acting as senior legal officer in the Hamburg military government.

He returned to his legal practice and local politics. He was deputy mayor of Leeds in 1946 and president of Leeds Law Society in 1950. By that time, however, his abilities had been recognised and he was returned as MP for North West Leeds in 1950, the first



Lord Kaberry of Adel, an influential figure in Conservative circles for more than 30 years and formerly MP for North West Leeds, died on March 13 aged 83. He was born on August 18, 1907.

of ten successful campaigns for the same seat. He was to prove among the most active of the new MPs and a year after his election it was due largely to his persistence that the Yorkshire Electricity Board was found guilty of an over-spending scandal which resulted in the Board being fined £20,000 and its chairman being sent to prison for six months for irregularities. Kaberry was appointed an Assistant Chief Whip in 1951 and he

proved popular in a usually unpopular office, his tall, broad-shouldered frame, easy smile and sense of humour masking all the firmness necessary in a Whip.

He enjoyed a brief spell as Parliamentary Secretary at the Board of Trade when the Eden government was formed in 1955 but by the autumn he had been moved to Central Office to become vice-chairman of the party.

Here, with a special responsibility for the selection of potential candidates, he proved a great success, particularly in the counsel he gave to successive chairmen. In 1961 he left to become an active backbencher though it caused some surprise that he was not given a post in the Macmillan government. He was kept busy, however, becoming a member of the Select Committee on Nationalised Industries and serving there for the next 18 years. From 1979 to 1983 he was chairman of the important Trade Committee on Industry and Trade and from 1974 until he left the House in 1983 he was on the Speaker's panel of chairmen.

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Foodies' friend: "aged revolutionary" Audrey Eyton thinks most of us feel "a bit rotten" about the way animals are treated

The short, happy life of Sunday lunch

Audrey Eyton is going to do for carnivores what she once did for vegetarians: make it OK to indulge with a clear conscience. "I can now walk through a field of sheep and somehow I can look animals in the eye," she says. What has freed her from guilt is the three-year research she carried out for her new book, *The Kind Food Guide*.

Her earlier book, *The F-Plan Diet*, is a world best-seller, translated into 12 languages with three million copies sold. The diet lets fatties off the hook by allowing them to gorge on fibre, and *The Kind Food Guide* is going to be similar manna from heaven for besieged foodies. In it Ms Eyton, who is a vegetarian, explains the philosophy which she believes will enable meat eaters who are uneasy about how animals are reared, to justify killing animals for consumption.

The gist of the message is that to be a happy eater you need only avoid factory farmed animals (the book contains an A-Z of edible animals, from anchovies to wild boar, describing how they are farmed, and asking "is this

Having assuaged the guilt of dieters, Audrey Eyton is turning her attention to meat-eaters. Heather Kirby reports

a system you can feel happy about"). There is no necessity to be troubled this Easter about tucking into spring lamb which has been treated kindly (Ms Eyton suggests that you can feel better about the life of a lamb than about most farmed animals, as ewes and lambs are largely kept out of doors), because death is inevitable anyway. Life, she thinks, is more important than death.

"Relate it to yourself," Ms Eyton explains carefully. "You and I might well die of some painful cancer, we know that. As it is, that does not cloud our lives. We are aware it might happen, but we carry on. What would you rather have, that possibility, which is a real possibility, or someone coming along right now and going clang, putting you in a cell, chaining you to the ground, and saying this is where you're going to spend the rest of your life?"

Not that she believes ani-

mals "think" along those lines, but she has no doubt that they do think. "A wide range of intelligence tests has shown that farm animals can quickly learn to complete difficult tasks, such as finding their way out of mazes, and operating complex machinery to turn up the heating when they feel chilly. Such tests suggest that cattle, sheep and goats, as well as pigs, are at least as intelligent as dogs. And probably more intelligent than horses," she says.

But it was the younger generation — in particular her son Matthew, a 24-year-old theology student and also a vegetarian — rather than the sorry plight of intensively farmed animals which, she claims, shamed her into becoming an "aged revolutionary". At 55, she is a slim and healthy-looking example of someone who practises what she preaches, and she has been preaching about food since she arrived here from South Africa 30 years ago, and founded *Stunning* magazine. (She sold the magazine in the early Eighties, reportedly for £4 million.)

"When I started writing about diets, I was in my mid-twenties, and the experts told us to eat sausages, bacon and eggs, cheese for lunch, great big steaks, and wash it down with a pint of full cream milk," Ms Eyton says. "They were all for low-carbohydrate dieting then, and animal protein was what we needed in large quantities."

"They got it totally wrong. Now it is the same with intensive farming. After the second world war, they had the idea that people had to have cheap meat, again with the best of intentions, but they are getting it wrong again."

She says animals are kept in the most appalling conditions, yet farmers are being paid to set aside land. "I think most of us feel a bit rotten about the way animals are treated. If you do something to make you at peace with your food, you enjoy it more and it becomes easier to eat animals... but with moderation."

The bandwagon of books railing against factory farming has been rolling for some time. Four years ago Alison Johnson who, with her husband Andrew, runs a small restaurant and hotel on Harris, in the Outer Hebrides, wrote *Scarista Style*, a book about humane cooking and eating. Alongside charming accounts of the happy life of the free-range halibut it contains gruesome true stories, such as the

sad plight of intelligent pigs confined to a short and miserable life, who are so prone to boredom and stress that they gnaw at the bars of their cage. An unhappy pig, apparently, tastes horrible, and if it literally dies of fright, the flesh goes spongy. It may not be enough to put people off sausages, but it is probably enough to put some off anything made from a pig which has not been treated humanely.

Mrs Johnson also warns us to beware of too-perfect packaging. "They want to keep you blindfolded; their wrappings are bucolically cheerful with dancing pigs and flowery milkmaids, chirpy chickens and thatched cottages. But these are elaborate lies designed to conceal squalid realities."

Last year *The Born-Again Carnivore*, a real meat guide by Sue Melis and Barbara Davidson, offered a comprehensive directory of places where organically fed cattle and poultry meat can be bought. But these are mainly small businesses in country locations not easily accessible.

What is different about Ms Eyton's book (besides her gift for turning a good idea into a best-seller, and what may stir the middle-of-the-road majority, is that she lists those supermarket chains which see the Nineties as the decade of the "caring" consumer. Marks & Spencer, Ms Eyton says, is the best store for kindly produced pig, Tesco is "outstanding" for its humanely reared free-range poultry from France. Sainsbury is encouraging organic farming methods, and Sainsbury gets a pat on the back for its veal (British only, and so not subject to cruel rearing methods), venison (shot at point-blank range on home territory) and organic milk. Waitrose is good for game, Asda for Conservation Grade meat (similar to organic, but selected preventive medications are allowed) and Iceland, the frozen food chain, offers kindly-reared fiddler for the freezer.

Being a "kind" carnivore is going to become easier. But Ms Eyton, the ever-practical diet-cum-human psychology expert, advises against perfectionism, because most of us give up if we set off down that road, she says. "I want to try to recruit a whole lot of people who are prepared to compromise. You can probably achieve more by a mass of people just doing a bit, than by a few perfectionists wanking their hands off the issue."

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 • The Kind Food Guide is published by Penguin Books (£3.99) on March 18; Scarista Style by Alison Johnson, Futura Publications (£3.99); The Born-Again Carnivore, by Sue Melis & Barbara Davidson, MacDonald Optima (£5.99)

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Doing the Lambeth talk

Try to do a simple thing like visit a famed left-wing council leader in her lair, and what do you get? A first scene straight out of Kafka, with a touch of Orwell.

Arriving at Lambeth Town Hall in Brixton, south London, beneath the unimpressive "Are You Losing Money?" banner directed at benefit claimants, you note the Edwardian double doors have been daubed with obscene graffiti about the community charge. Then there is a sign. "All visitors MUST report to reception." So you do. Reception is a little hatch in the wall with an even littler man in it. You tell him you are here to visit Joan Twelves, the council leader. He looks puzzled, says "mmm", and scratches a bit. "Who she? Is she one of the councillors?"

You explain she is very important, indeed his leader for two years. He refers you to the information desk. It is shut. There is a notice which says: "Closed due to a staff meeting." But wait, behind some glass doors there is another man on a chair. Perhaps he would like to hazard a guess? On the first floor, he thinks, maybe room 105, and proceeds to give labyrinthine directions, which fail to work.

At last, reorientated outside 105, breath bated, you knock. There is no answer. But on nearby 103, there is a sign: "All enquiries to room 106." Along the endless corridor to room 106. Inside, a woman refers you to room 103. Again. By this time you are sweating and think you might be happier in Orwell's room 101, with those rats. Bravely, you tap door 103. Bingo. It is Ms Twelves's assistant, in the leader's antechamber.

You can tell it is the leader's antechamber, because above the marble fireplace there is a framed black and white photograph of a riot-wrecked truck titled: "Construction in Burnt Steel." Sculpture generously donated by Mrs Thatcher to the people of Brixton with the aid of the Metropolitan Police.

Astounded by Lambeth Council's ability to perform according to stereotype so far, you begin to have great

Kate Muir meets Joan Twelves, leader of the council with the highest community charge in Britain, and finds her battered but convinced at least one battle has been won

expectations of Ms Twelves, and wait, fantasising about dungarees, silly earrings and screaming harridans. These hopes are dashed when she appears, looking exactly like your primary school teacher.

Ms Twelves, aged 43, is the lucky woman who is following in the wake of two dynamic Lambeth leaders, referred to in the popular press as "Red Ted" Knight (surcharged) and "Loony Linda" Bellos (deposed). Already, Ms Twelves has been pilloried for her council's debate condemning the "patriotism and jingoism" of the Gulf war as racist, the acrimonious setting this week of Britain's highest community charge at £590, and the one-day strike against budget cuts which followed it. Now Lambeth Labour group is

rather than limiting the damage.

She denies press suggestions that a group of about six hard-left councillors are running things on the quiet, and intimidating the soft left, to the extent that the latter's cars were daubed with paint and tyres were slashed. "It is wrong to say there are factions. It is just that everyone gets more heated at budget time because you have to draw a line. The majority of members agree on a majority of things. We all hate the poll tax. What we didn't agree on was tactics to deal with it." As for the slashing: "You park anything outside here and it will get smashed up. It happens all the time."

The subject of the party investigation is not entirely clear, even to Ms Twelves and her 39 fellow Labour members, but certain councillors' suspected allegiance to Militant, Labour Briefing, Socialist Action and even the Workers' Revolutionary Party has made them a touch edgy at Labour's HQ. Besides, Ms Twelves was failing to follow the party line, along with nine other councillors, by refusing to pay her community charge.

She was refusing to pay on principle, but expected other people to pay theirs. She also continues to claim her £5,500 attendance allowance, paid for by — yes — the community charge. This is the first incidence this afternoon of doublethink: the power of holding two contradictory beliefs simultaneously, and accepting both of them.

Thankfully, plans to abolish the community charge have rendered this activity unnecessary. Ms Twelves paid up last week. "I feel very much that the battle has been won, and non-payment was part of that battle. We are just waiting for it to be buried." Following the leader's example, only 59 per cent of the borough have paid so far, but there are hopes of a last-minute rush. "Those who were not paying as an act of political defiance will come forward. We're not tax evad-

ers. But the majority cannot afford it and this will make no difference." By not coming down too hard on non-payers — bailiffs were agreed to only recently — the poll tax in Lambeth has worked rather like the rates. The rich and the morally upstanding paid, and the poor did not.

Which is why Lambeth has community charge arrears of £38 million, as well as rent arrears of £26 million, and rates arrears of £42 million. It is the borough from hell. Even the Conservative opposition leader admitted that told to take over tomorrow, she would not know how to cope. "Revealing, that," says Ms Twelves, who is surprisingly undepressed by it all. She has that you-gotta-laugh-or-else-you-cry tone in her voice. "We

'We have debts going back seven years... it's not so bad as it sounds'

have debts", she muses, "going back seven years, which we probably should have written off long ago. The write-off amounts to about £20 million, and that's people who are dead or have moved away. It's not so bad as it sounds — 90 per cent of people did pay their rent and rates, and no-one likes to be in debt."

Apart from Lambeth Council, that is. The debts have meant that £20 million had to be slashed off the budget for the next financial year, although Ms Twelves has tried to keep them to more "luxury" areas such as sport and leisure, while maintaining services for pensioners, under-fives and schools. Strange that she should put forward cuts, when she resigned as chief whip over £60 million of the same during the Bellos reign.

Some more doublethink? "Those cuts were in the wrong areas," she says.

Her leftwing ideology has taken a battering from the practicalities of running a council. Those early days at Essex university, studying social policy and spending evenings with the International Marxist Group, have had to make room for the reality of compulsory competitive tendering. "I still get angry and frustrated about wanting to improve services and finding things are slow to change. I have probably implemented more change in the last six months than anyone over the last six years." She begins to sound increasingly Shirley-Porterish. "We are dragging the council into the 20th century. We have changed most of the senior management team, and we are combining small directorates into two larger ones, which has to entail job losses."

At least 600 jobs are to go. As a member of the town-hall union, Nalco, does Ms Twelves, doublethinker extraordinaire, find it hard to sack her colleagues? "The union can say we disagree in principle with redundancies, but that doesn't mean you can't come together to negotiate the least painful deal with them."

The ideological contradictions continue. Ms Twelves supported a motion last month, condemning Gulf war patriotism and reminding staff of equal opportunities. There were shouts from the public gallery of "Victory to Iraq". In the papers this appeared as the council "banning the Union Jack" and "stopping staff talking about 'our boys'" and insulting servicemen's relatives, but Ms Twelves did not seem to mind. Her brother is in the RAF. In the Gulf? "No. Directing operations from here."

Politics is never simple. Ms Twelves has learnt that in the last 15 years, but still remains bright and bushy-tailed about being the leader of the last seriously left borough. "I got interested in politics when I was a single parent struggling on social security in the Seventies, and trying to get anything out of social security leads to make most people feel they're up against the state." She still is.

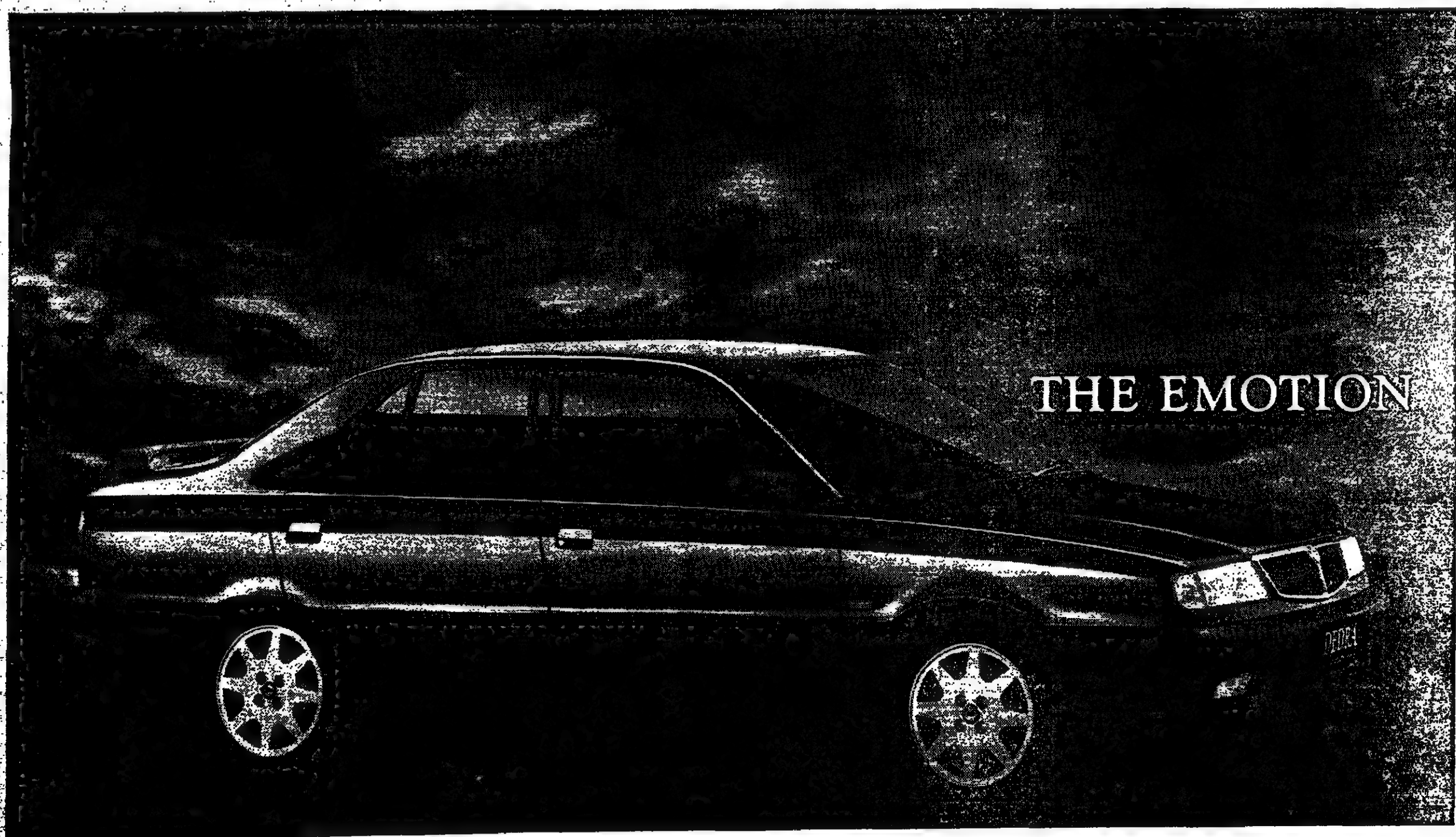


"We are dragging the council into the 20th century": Joan Twelves, head of Lambeth council

'The majority of members agree on a majority of things'

being investigated by the party's national executive committee. With a general election coming up soon, it will not be surprising if the leader of Lambeth becomes a household name as teams of right-wing press hacks sniff out what they hope will be a scamy past.

Ms Twelves already feels hard done by. "Of course we're always getting attacked as a loony left council, but we didn't even make a mention on Ken Baker's loony dozen list — people just assumed we had. And it's ironic that in all the analysis of the 'London effect' causing Labour losses in the local elections, there was not one mention of Lambeth, because our results were fine. This enquiry by the national executive will just cause people to focus on us,



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GALLERIES

Sex objects and sinking feelings

Two shows by John Bratby, plus surveys of 'kitchen sink' realism and of today's British pluralism, reviewed by John Russell Taylor

When I complained about the roomful of bloodless nudes in the Tate's recent William Coldstream show, I was bawled over the coals by a male feminist reader. Was I so blindly sexist that I could not see the great virtue of these paintings: that Coldstream rejected sensuality, refusing to treat women as objects? Better sex objects than merely objects, I might have replied. What was missing seemed to be not just erotic response, but any human response at all.

Whatever is said against John Bratby's paintings of his wife in the show of his recent work at the Albemarle Gallery, nobody can accuse the painter of lacking human feeling, sensuous response and good old unreconstructed male libido. Patti Bratby is discovered in St Mark's Square, in Istanbul and other unlikely places, scantily clad in PVC or rubber suitings, offering her breasts and sometimes more—presumably to startled gazes. Bratby's delight in his wife's charms is obsessive, but not more so than, say, the preoccupation of some well-respected artists with themselves.

The trouble is that Bratby is not well respected. He has chosen not to be. From the barrage of publicity that accompanied his emergence in the Fifties—as an Angry Young Artist with one eye on the kitchen

a similar loo at the Mayor Gallery, which reinforce the point that life is a lavatory, old chum.

His instinct often led his pictures to look more considered than they were. The splendid "Suzerain Sunflowers" at the Mayor, and the nearby "Bicycle Interior", are put together with mind as well as eye-testing intricacy. "Interior with Jean" even, improbably, summons up the ghost of a Vuillard interior, though in principle one could hardly imagine two more dissimilar artists. Many of the early portraits have a similar oriental-carpet complexity of patterning.

Then comes the period of celebrity portraits that supervened when Bratby fell from critical favour in the Sixties. These are perhaps by definition superficial—they are, after all, about images rather than people—but they signal a sad falling-off of intensity. The best of the later portraits is the 1975 "Cheats, Hove", which is of his not-yet second wife painted the year he divorced his first. At that point Patti looks faintly melancholy, far different from the jolly-barnaid look now attributed to her.

At least Bratby is still painting in the tradition he helped to initiate, if with much diminished intensity. Judging by the Mayor Gallery show, Edward Middleditch emerges as the most quietly powerful of the nuclear

Bratby seems an impromptu artist, painting whatever catches his eye directly on to the canvas, with little consideration

five unwillingly grouped together round the kitchen sink. Peter Cook could be represented in his familiar butcher's-shop mode only by judicious (and unprecedented) borrowing from the Royal Academy. There is a wonderful panoramic painting by Derrick Greaves, "Sicilian Scene", which suggests unexpected points of contact with Leonard Rosoman and early Lucian Freud. The Jack Smiths, two of his child tottering round in a grey room and one unforgettable image of a "Wounded Bullfighter", only reinforce sorrow that he was the principal backslider from realism into anemic abstraction.

What happened to this postwar realistic tradition, which replaced the dominant neo-romanticism of the Forties? It was swept from critical favour by Britain's discovery of American abstract expressionism and informal abstraction from France. When that in its turn was supplanted by Pop Art the reference to outside reality had taken rather a different form. Today, though pluralism rules, the liveliest young British painting is usually representational, in a way that embraces everything including the kitchen sink.

This reading may be tested conveniently at the Roy Miles Gallery, which has bravely mounted a British Month, selected mostly from open submission, with the gallery taking only a 20 per cent commission on works sold. Not



Best of the later portraits: "Cheats, Hove" (1975), by John Bratby, at the National Portrait Gallery

surprisingly there were 3,000 submissions. About 150 artists reached the final selection.

There are one or two pictures verging on abstraction, but even when the primarily figurative tastes of the selectors are taken into account, the show heartily endorses representation. The picture reproduced on the cover of the catalogue, "A Childhood Fragment" by Helen Wilks, would not have looked out of place hanging on the walls of the Beaux Arts Gallery in the heyday of the kitchen sink.

The finely crafted carvings of David Thompson and Daniel Clahans are at once traditional and contemporary, and the resin sculptures of Richard Daniel are almost Deco in their sleekness and economy. The show also accepts recent broadening of the terms of art, including ceramics, most intriguingly in the work of Ying Yung Li, who shows sculptural vessels, lustreously coloured, alongside a series of exquisite watercolours. Chinese in subject-matter, English in technique. With any luck, this "British Month" may become an annual event. Though arbitrary in selection, (or possibly because it is so arbitrary) it offers as good an index as any to what is happening to British realism in the Nineties.

John Bratby, Albemarle Gallery, 18 Albemarle Street, W1 (071-335 1880) Mon-Fri 10-5, Sat 11-1, until April 5.
John Bratby Portraits, National Portrait Gallery, St Martin's Place, WC2 (071-306 0055) Mon-Fri 10-5, Sat 10-6, Sun 2-6, until May 27.
The Kitchen Sink Artists Revived, Mayor Gallery, 22a Cork Street, W1 (071-734 3538) Mon-Fri 10-5.30, Sat 10-1, March 20-April 26.
British Month, Roy Miles Gallery, Bruton Street, W1 (071-495 4747) Mon-Fri 10-5, Sat 10-1, until April 6.

and there are many interiors, landscapes and still-lives that follow the same line successfully. Lisa Delany's paintings (she is also a sculptor) display a more grandly symbolic style, and both "Man the Hunter" and "Man and Boy" are images that stay obstinately in the memory.

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CRITIC'S CHOICE

HAIR BY HAIR. Two closely related paintings under the label "Brief Encounters": versions of "Samson and Delilah" by Rubens and Van Dyck, the latter from Dulwich Picture Gallery.

Small Encounters: Samson and Delilah by Rubens and Van Dyck, National Gallery, Trafalgar Square, WC2 (071-839 3821) Mon-Sat 10-6, Sun 2-6, until April 28.

OLD ACQUAINTANCE. Paintings separated for at least 150 years are brought together. "The Flower-Gatherers", attributed to Bouche, already in the collection, is joined by "The Fisherman", Bocher Paintings Re-entitled. The Iveagh Bequest, Kenwood, Hampstead Lane, NW3 (061-346 1269) daily 10-4.

PHOTO OPPORTUNITY. The Tectonic Prize for Architectural Photographer of the Year. This year's winner is Matthew Whiteley; his picture and other entries. The Tectonic Prize, The Building Centre, 20 Store Street, WC1 (071-637 1022) Mon-Fri 10-5, Sat 10-1, until tomorrow.

ITALIANS BUILD. Two architects or architects-in-training, including Giuseppe Penone and Paolo Portoghesi, represented with models, elevations, photographs and sketches of recent work. Scale of Space, Accademia Italiana, 24 Rutland Gate, SW7 (071-225 3474) Tue-Sat 10-5.30, Sun 2-5.30, until April 11.

CLASSICAL MUSIC

Expectations of further greatness

Towards the Millennium has begun. Tonight in the Festival Hall the City of Birmingham Symphony Orchestra under Simon Rattle gives the first concert in this ten-year diary of the 20th century, repeating the programme of music from 1900-1910 they gave in Birmingham on Tuesday. Sibelius's *Night Ride and Sunrise*, Schoenberg's *Erwartung* and Stravinsky's complete *Firebird*. Next week they return with Webern, Berg and Mahler; meanwhile on Sunday the London Sinfonietta will have filled out the picture of the century's first decade with Debussy, Ives, Bartók, Busoni and more Schoenberg.

The value of this festival is almost assured by its programme, but that value will be indisputable if the performances move in the direction that Tuesday's concert was pointing. The opening was problematic: *Night Ride and Sunrise* is an extraordinarily bare piece—a fine of galloping rhythm quietly moving around the orchestra and then being lost in the glow—and in its bareness it exposes how difficult a piece it is for the strings. This was a quite unusually strained, tentative performance for Rattle and the CSO, and the orchestral hitches continued into the early part of the Stravinsky.

A great deal in *Erwartung*, however, was very beautiful and utterly forthright. Here the main problems were in the nature of the piece, and took us to the heart of why this festival is, and has to be extraordinary.

Schoenberg wrote *Erwartung* for the theatre, and therefore for a large audience, in public his letters bear witness to his concern for the staging of the woman's nightmare. But at the same time this is intensely private music, private in its intimacy with the sole character's thoughts and fears, and private too in its removal from almost everything that had been expected of music: its lack of theme, tonality, rhythmic continuity or consistency of colour. All at once, here in 1908, is the tension between public expectation and personal intention that has torn through 20th-century music, a tension that has only partly been resolved by radio and re-

coring, which reach an audience made up of individuals. In concert *Erwartung* remains an uncomfortable piece.

Phyllis Bryn-Julson, the soloist, does not diminish its danger by taking it away from the area of expressionist rant. To some extent her ease in the role suggests a Little Red Riding Hood rather than a woman in torment, but to hear the part so fluently and beautifully sung is to have the music's strangeness enhanced. The relationships of the singer to the singing character, and of that character to the experience described in the words, become uncertain, and the terror of *Erwartung* becomes that of feelings beyond the scale of what the subject can



Phyllis Bryn-Julson: finest soprano soloist

express or even register. The forest through which the woman searches is made up of her other selves.

Stravinsky's *Firebird* is a distinctly less troubling masterpiece, but masterpiece it certainly seems in Rattle's performance. Its combination of gorgeousness and precision ferocity is one that gets the best out of him, and out of the CSO, with three trumpets speed around the gallery, and with the huge platform ensemble performing with exuberant colour and passion, the lead-up through the fabulous magic carillon music to the appearance of Kashchey's guardian monsters was immensely powerful in Birmingham. One felt again the bewilderment and unprepared novelty of the score: in a sense *The Firebird*, besides being a farewell to the old Russia, was his personal rite of spring. London audiences can look forward to astonishment.

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RECORDS: ROCK

Worth taking the detour

HAVING long been rewarded with a degree of critical adulation out of all proportion to their modest commercial standing, R.E.M. went some way towards redressing the balance with the 1988 album, *Green*. In America it sold more than two million copies, converting the group from heroes of the college radio crowd into an arena attraction.

At this stage in many an act's career a big-bucks producer is called in and a blockbuster album assembled to pave the way for the 18-month world tour and ascension to the superlounge.

Not so R.E.M., whose *Out of Time* is certainly not an answer to U2's *The Joshua Tree* or Springsteen's *Born in the USA*. Indeed in terms of *Time* is more akin to *Nebraska*, in so far as it breaks off from the trend towards music of ever bigger and bolder intent, and takes time out instead to explore some less

R.E.M.: Out of Time (Warner Bros. 7599-26498-2) Mystery Gang: Venus Grove (Virgin CDV2945)

obvious hooks and crannies.

The songs—all composed by the group—are rarely arranged for a conventional rock band format. Often there are no drums, as on the Neil Young-influenced "Country Feedback", while on many numbers Peter Buck's ringing guitar has been superseded by the more austere tones of a nine-piece string section.

This chamber-pop approach is all very well in its place—"Low" for instance has a marvellously brooding presence and "Losing My Religion" bounces along on a sparky mandolin part from Buck—but the album seems lacking in backbone. Only two songs, "Shiny Happy People" and "Texarcana", chime out in the "classic" R.E.M. way and they are both very good. It

is a brave venture, but much of the other material takes on long time to register.

Mystery Gang is a pseudonym for Laffi Gardner, a deep-throated style of singer with an obviously cultivated mystique. Slang's *Venus Grove* debut is an arresting composition of gruff, blues-inspired hobo-rock, that draws on influences from Jim Morrison to John Lee Hooker, whose "I'm Mad at You" is the only non-original.

With their dark, grainy images, and lyrical references to Holland Park Avenue, the Westway and "standing on the corner of Portobello and West", songs such as "Blind Joe" and "Billy Hit the Ten Ball" offer a vision of London lowlife as seen through the eyes of a young itinerant who seems to have mistaken Chelsea Harbour for the Mississippi delta. In its own quiet way, it is a cracking good album.

DAVID SINCLAIR

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THEATRE

Exoticism is a foreign affair

British sponsors and critics are too reluctant to accept the breaking down of categories in art and performance, argues Jim Hiley

There is perhaps a parallel to be drawn between present-day political changes and artistic innovations. Just as international barriers and long-cherished ideologies appear to be fragmenting, so also are artistic boundaries being dismantled.

Once-alien cultures are beginning to cross-fertilise. Theatre is becoming polymorphous; even circus skills are being re-invented by troupes such as Archais and Le Cirque du Soleil. But British attitudes to these developments remain ambiguous, especially in respect of home-produced work. Are we resisting inevitable change, or exercising justified caution?

Audiences seem to enjoy the flamboyant physicality of East European ensembles, such as the Rustaveli Theatre from Soviet Georgia, whose influence has already filtered through to British companies. The process was taken further last year, when Rustaveli's Robert Suris directed a British cast in *Three Sisters*. His production offered not just an impassioned reading of the text, but a hypnotic exercise in tragicomic choreography. Also warmly received has been Peter Brook's Paris-based company; its versions of *The Mahabharata* and *The Tempest* forged a kind of stylistic Esperanto from several national traditions.

Other exponents of the new theatre draw freely — and sometimes simultaneously — on dance, drama, opera and rock music, and have liberated the techniques of "live art" from the ghetto of private galleries. Among the innovators are The Wooster Group from New York, which won acclaim in Glasgow last year, and Robert Lepage, the French-Canadian auteur. His *Tectonic Plates* — seen both in Glasgow and at the National Theatre during 1990 — brought together Delacroix, Chopin, Celtic ritual, New York night-life, geological theory and more in a three-hour spectacle of hallucinogenic intensity; it has won Lepage a nomination for this year's Kenneth Tynan Award. A movement of sorts is clearly under way, even if —



Spectacle of hallucinogenic intensity: Marie Gignac (left) and Céline Bonnier in Robert Lepage's *Tectonic Plates*

Are we resisting inevitable change, or exercising justified caution?

Weir, who wrote the score for *Heaven Ablaze in His Breast*, Spink's Dadaesque deconstruction of the Coppelius story.

Weir says that exposure to Second Stride's interdisciplinary methods has transformed her approach to composing. She also sees the company as the natural home of "music theatre", arguing for a resumption of the experiments pioneered two decades ago by Harrison Birtwistle and Peter Maxwell Davies.

When *Heaven Ablaze* was given its premiere in 1989, Nicholas Kanyon asked in the *Observer*: "Is it a ballet? Is it an opera? Is it a play? Who cares: it's entirely individual and wonderful."

Marquise de Brinvilliers are recounted with wry humour, while the inventor of leaded petrol and CFCs, Thomas Midgley, drifts wide-eyed among the murders.

Sadly for Second Stride, the show has not been received with universal enthusiasm. But then, the fact that its work is almost impossible to define has not helped its struggle for recognition or survival. The Arts Council dispenses subsidy under the very categories that the new theatre calls into question. It has also required Second Stride to visit a number of regional venues — "underfunded little dumps", according to Ian Spink — where avant-garde programming is the exception rather than the rule. Spectators have arrived expecting pure contemporary dance, and many have been disappointed.

Despite the impending demise of Second Stride, "cross-over" work is mushrooming elsewhere. The National Theatre's Lyttelton auditorium is currently occupied by gradu-

BRIEFING

Relief workers

TODAY'S Red Nose Day has not quite induced the National Theatre to issue plastic schnozzles to the characters in Kafka's *The Trial*. But on the Lyttelton stage earlier tonight a four-man team will present a single performance of *Alice's Dinner*, a surreal disaster-comedy. The 6pm production is free, but they will be passing round the hat afterwards. Tickets on 071-928 2252.

Bull market

THE two versions of the *Carmen* story soon to open in London share the same choreographer, Stuart Hopps. Hopps, whose credits range from *The Cunning Little Vixen* at Covent Garden to *The Rocky Horror Show* currently in the West End, will direct the movement for the all-black *Carmen Jones*, due in at the Old Vic. Then he turns to *Buzet* with the Spanish director, Numa Espert, for the Royal Opera.

Doctor Haydn

HISTORY will be repeated at the "Haydn in Oxford" Festival on July 8, when the English Concert, under Trevor Pinnock, performs in the Sheldonian Theatre. The concert will re-create that given 200 years ago when Haydn came to Oxford to collect his honorary D.Mus. The gala will also be notable for bringing together the choirs of Christ Church, Magdalen and New College.



Haydn: doctorate is commemorated

Last chance...

BRINGING to vivid life a crucial period in the short career of the New Zealand writer, Katherine Mansfield, Claire Tomalin's first play, *The Winter Wife*, shows her being cared for by a devoted fan. The uneasy relationship is beautifully charted in a fine production by Patrick Sandford, which ends tomorrow at the Lyric, Hammersmith (081-741 2311).



Canadian Golden Sable Jacket: Original Price £25,000, Now £14,995, Demi Buff Mink coat: Original price £3,795, Now £1,995, Dark Mink coat: Original price £2,595, Now £1,195, Dark Mink Jacket: Original price £1,750, Now £695, Leather Jacket: Original price £395, Now £95, Sheepskin ¾ coat: Original price £895, Now £495, Fur-lined raincoats from £495, Foxbordered shawls from £255

CLOSING DOWN SALE

The Maxwell Croft and Birger Christensen furs reduced by

25%
to
80%

Due to the closing down of the New Bond Street fur store, all Maxwell Croft and Birger Christensen furs have been reduced - by 25% to 80%.

This closing down sale offers an extraordinary and rare opportunity to buy a fur, shearling, or fur-lined coat from one of the world's finest makers of furs.

After this sale the Birger Christensen furs will be available only at our store at 169 Sloane Street.



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Better the ills that we know

THEATRE

Invisible Friends Cottesloe

IMAGINE escaping from Scylla, only to find one has swum to Charybdis. That was more or less what the protagonist of Alan Ayckbourn's *Woman in Mind* managed to do. A dizzying knock on the head from a garden rake sent her into a world of comforting hallucinations that eventually became as disturbing and destructive as the everyday reality of living with her boring husband in a dreary suburban vicarage. By the end she was on the edge of madness, as wives in Ayckbourn plays regularly are.

Invisible Friends is, by Ayckbourn's own admission, *Woman in Mind* softened up for tots, teenagers and what he calls "that most difficult creature of all, the family audience". This time, it is a fall down the stairs that causes a sort of waking concussion, and the victim is a 14-year-old called Lucy Bates. Fed up as she is with her own family, she is delighted when her fantasy friend, Zara, manages to materialise with a smiling new father and a charming new brother; but she ends by returning with relief to a reality that turns out to be much more congenial than she ever acknowledged. This is not one of Ayckbourn's dark adult comedies, but a nice fireside story, told by Uncle Alan.

The Bates household is a place many children should ruefully recognise. But Moody's Dad punnily pootles before a television that transmits ceaseless news about accidents, inflation

and bad weather. Janet Dale's Mum fusses around the kitchen gossiping in a high, querulous wail about neighbours who mostly seem to be quadruplegic, terminally ill or dead. It would take a small atomic explosion to separate Mark Benton's "grumpy Gary", as Lucy calls her brother, from the rock music on his hi-fi or headphones. Certainly, nobody listens when she tries to report her successes with the school swimming team.

With Ayckbourn himself directing with his usual deftness, this is entertaining stuff, and well acted too. Emma Chambers is a bit old for Lucy, but she still knows and shows how adolescent girls jig, bounce, mooch, giggle, squeal, mug and suddenly and surprisingly burst into tears that are over as soon as started. It is very impulsive that leads her to reject her own family for an imaginary one: shimmering figures in bleached, pressed clothes who attend to her every word, tell her how clever she is, let her win at snakes and ladders, and can switch out a light or tidy a room just by puckering their brows and concentrating very hard.

That these idealised intruders turn menacing, and eventually throw Lucy out of her own home, will not surprise anybody who remembers *Woman in Mind*. That Ayckbourn, the least preachy of playwrights, should surreptitiously become didactic as his story unfolds is rather more unexpected. But it is clear that he sees a moral both in the visitors' appalling amazement that Lucy does not particularly like jumping out of bed at 6.30am to prepare breakfast and in their growing belief that she is "a noisy, untidy,



Emma Chambers, foreground, as Lucy Bates with invisible friends Simon Chandler, Robert Hands and Claire Skinner

bad-mannered, dirty, smelly, ignorant, thoroughly unprepossessing lump of a girl".

Perfection is tough on the imperfect. How many of us would slot comfortably into our utopia, even one we had dreamed up ourselves? How many would not end up feeling as inadequate and out of place as Gulliver among the Houyhnhnms?

What Ayckbourn seems to be telling us kids is not to stray away from nurse for fear of finding something worse, to stay in the

frying pan rather than leap into the fire, and other such wise, proverbial things. He does it with so much good humour and comic gusto that it would be ungrateful to accuse him of being at all the virtuous of home and family. In any case, Lucy will one day grow up and may even be found in another of her author's plays, suffering with everybody else. Uncle Alan spins a good tale, but Ayckbourn continues to be found elsewhere.

BENEDICT NIGHTINGALE

OPERA

Il barbiere di Siviglia Covent Garden

THE pleasures of Rossini's comedy are pretty much like those of figure skating: perfection and ease – the awareness of a licence to show off – count for a great deal more than psychological insight. For this latest revival of Michael Hampe's production the Royal Opera has found fine exponents of this ironic virtuosity in a winning young cast, three of whom are singing here for the first time, while the others are all arrivals of the last two or three seasons.

As Rosina, Jennifer Larmore displays first and foremost a stunning command of decoration. Knowing her only from her Otavia in the recent recording of Monteverdi's *Poppea*, I was not prepared for all these brightly, expertly executed runs of melodic flourishes, nor for a vocal colour and stage personality conveying softness of feeling as well as spirit, nor for a range from fully powered, contralto-like chest notes (odd uncertainties here diminished as she gained confidence) to a high register of thrilling

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accomplishment, clarity and penetration. Bruce Ford's Almaviva was a little slower to get off the ground. The voice is beautifully cultivated and able, but only after the first scene was it starting to come across sufficiently, perhaps because Ford was encouraged to take a few risks.

The encouragement could well have come from Francois Le Roux's Figaro. When he came on the sun came out, and his singing and acting throughout the evening had a natural sureness and immediacy, as if it were Papageno playing the part.

Gregory Yurishch is a striking Bartolo, very adroit vocally and knowing exactly how far to go with the buffoonery, so that the character retains both dignity and the strength to be a worrying adversary. Barag Tumanian's dark, deep, slow-moving Basilio was an interesting counterpoint, and Carina South turned out a brilliant performance of Berta's piece.

The performance benefits from the brisk, forward-moving musical direction of Carlo Rizzi, and from Stephen Uprichard's witty choreographed movement in the interior scenes.

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OPERA

L'elisir d'amore RNCM, Manchester

THAT experienced opera singers are likely to make good producers is almost axiomatic. They have a wide and often bitter understanding of what actually communicates on the lyric stage – something that pure producers without hands-on experience might lack. The Royal Northern College of Music has such success with the productions of Joseph Ward that he is now leaving them to pursue that career; and it was perhaps logical to offer the tenor

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NEW RELEASES

AWAKENINGS (12): Tender, heart-tugging tale of neurologist Robin Williams aiding the formerly comatose and now other patients stricken with paralysis. Deon Lee/Screen Gems (071-850 8111).

BLOOD OATH (18): Largely monotonous, studio-bound saga through a Japanese war crime trial in Indonesia. With Bryan Brown, director, Stephen Warlock. Cannon Oxford Street (071-436 0310). Orion Music Centre (071-500 8111).

COMING OUT (18): Tribulations of a gay teacher in East Boston. A sensitive, touching film that paces itself. Directed by Walter Cahn in 1989. Metro (071-497 0377).

THE ROAD HOME (18): Hugh Hudson's rollicking, unpretentious problem movie about middle-class lawless in southern California. With Beanie Boys singer Cannon Patton Street (071-820 0871).

CURRENT

AVALLON (U): Engaging personal saga about immigrant experience and post-war trauma of family life. By film director Barry Levinson. Five performances by Anna Mulka-Stall, John Rowley. Cannon Patton Street (071-820 0871). Screen on the Hill (071-436 0310).

BERLIN JERUSALEM (U): Anon Glat's stylised exploration of the Zionist dream on paper, less revealing on the screen. ICA Cinema (071-500 8111).

C'est la Vie (18): Evasive, evocative, evocative by French director Diane Kurys: a childhood episode told by a married couple. Screen on the Hill (071-436 0310). Premiere (071-436 0310).

CYRANO DE BERGERAC (U): Oscar-nominated French masterpiece as the lovelorn, long-haired Cyrano de Bergerac. Long-haired Frenchman's play into magnificent, swashbuckling drama. Screen on the Hill (071-436 0310). Premiere (071-436 0310).

DANCES WITH WOLVES (12): Kevin Costner as the Civil War frontiersman who leads his band of Cheyenne warriors through the Great Plains. Screen on the Hill (071-436 0310). Premiere (071-436 0310).

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CINEMA GUIDE

Geoff Brown's assessment of films in London and elsewhere, indicated by the symbol (L) on release across the country.

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BBC 1

6.00 **Coffee** 6.30 **BBC Breakfast News**
 9.15 **Daytime UK** starting with **Kilroy**. Robert Kilroy-Glick hosts a discussion on grandmothers 9.55 **Regional News** and weather
 10.00 **News** 10.05 **Playdays** (r) 10.25 **The Family Nook** (r) 10.35 **She's the Sheriff**. American comedy series about a woman sheriff (r)
 11.00 **News** and weather 12.00 **Royal Appointment** 12.20 **Scene Today**. 12.55 **Regional News** and weather 1.30 **Neighbours**. (Coast)
 1.50 **Film: Heartbeats** (1984). Powerful and moving made-for-television drama, with an excellent performance by James Garner as a doctor trying to cope after suffering a massive heart-attack. Mary Tyler Moore plays his caring wife. Directed by Glenn Jordan
 3.50 **Children's BBC** starting with **Comic Relief**. As an appetiser for the main event, **Ed the Duck** puts a red nose on his bill and, with the help of **Andi Peters** and **Simon Pegg**, presents classic moments and guests from the world of children's comedy 4.05 **Jackanory**. Special for **Comic Relief**. A series of funny men join forces to present the story, including **Rory McGrath**, **Clive Anderson**, **Bill Oddie** and **Tony Stanger** 4.20 **Fantastic Max**. Cartoon about a bionic toddler (r) 4.30 **Comic Relief** continued
 4.55 **Newsround Extra** 5.05 **Grange Hill**. Final episode. (Coast)
 5.55 **Neighbours** (r). (Coast). Northern Ireland: **Sportsworld** 5.40 **Inside Ulster**
 6.00 **Six O'Clock News** with **Peter Sissons** and **Maura Stuart**. Weather 6.30 **Regional News** 6.55 **Antiques Roadshow**. Regular John Bly and actress Joanna Kanaka. Music is provided by **Scho**



Aiding six hours of red-nosed relief: Rowan Atkinson (7.25pm)

7.55 **Comic Relief 1991: The Stinker Starts Here**.
 © CHOICE: The red noses are back after a year off and the knives are coming out. No one is questioning the purpose of the exercise, which has raised millions of pounds for the relief of starving Africans as well as helping the needy old and the deprived young in Britain. But it is necessary to devote six hours of prime time television to comedians of variable quality when the simpler thing would be to ask viewers for the money and be done with it? One answer is that the very type that causes hackles to rise does help to bring in the cash. Another answer is that the show itself is well worth a look. Only a masochist would sit down for six hours on the trot but judicious sampling should come up with something for most comic tastes. One person's Julian Clary is another's Ben Elton. And it is right to be reminded that the miserable **Comic Relief** and to be shown how a little money can go a long way. (Coast)
 8.00 **Hero Turtles**. Stupid Videos and **Lovely Julian**. Julian Clary hosts a phone-in with a difference and **Chris Tarrant** presents a compilation of home videos. The A to Z of Comedy begins with A for Aristocratic Twits and B for Basil Fawlty. (Coast)
 9.30 **Four Birds of a Feather** and **Comic Relief**. A special episode of **Birds of a Feather** in which regular stars **Linda Robson** and **Pauline Quirke** are joined by comedienne **French** and **Saunders** for a few hoots. (Coast)
 9.00 **Nine O'Clock News** with **Michael Buerk**. (Coast) Regional news and weather
 9.30 **Comic Relief 1991**. Back to the merry-making with **Mattie Morahan** and **Ben Elton**. **Roger Hootie**, the Man on the Telly, from the cult comic **Joe**, joins the host team for a spoof gameshow, **Send Simon**, and **Rowan Atkinson** appears as **Mr Bean**
 10.00 **Bad News** and the **Barrys**. **Berry Norman** announces his awards for film comedy
 10.30 **Ben Elton**, **Victoria Wood** and **Boozy the Snail**. Includes **Victoria Wood** performing her **Smile** song
 11.00 **Stop! Look! Listen!** type stuff from **Harry Enfield** and **Hale and Pace**. Includes **Smith** and **James** rocking and rolling
 11.30 **Wild West** and **Wildlife**. Featuring **French** and **Saunders** and **St David** **Atkinson**
 12.00 **Battle of the Sex** Gods with **Tom Jones** and **Theophrastus P. Wildbeast**
 1.00am **Let's Not 'N' Live**. It's the turn of the Americans with comic moments from **Robin Williams**, **Richard Pryor**, **Joan Rivers** and **Bill Cosby**. The money rolling in is totted up and the total is announced
 1.30 **Stork TV**. **Drop!** The evening closes with a pot-pourri of classic comedy. Ends at 2.30

BBC 2

6.45 **Open University: Magnetic Earth**. Ends at 7.10
 8.00 **News** 8.15 **Westminster**. A round-up of yesterday's parliamentary business
 9.00 **Daytime** on Two: a profile of **Richmond** in Yorkshire 9.10 **Teaching Today** 9.40 **Standard** grade history 10.00 **Learning to read** 10.20 **Around Scotland** 10.40 **Into music** 11.00 **Watch** 11.15 **Logo** 11.30 **GCSE** German 11.45 **Let's see** 12.00 **Good sport** 12.50 **English** file 1.20 **The Drivley** - an animated cartoon 1.40 **English** time 2.00 **News** and weather followed by **Words and Pictures** (r) 2.15 **Weekend Outlook**. Preview of **Open University** programmes (r)
 2.20 **Sport on Friday**. **Helen Rollason** introduces highlights from the world figure-skating championships and the **Cheltenham National Hunt** racing festival. Plus a preview of tomorrow's **Twickenham** grand slam decider between **England** and **France** in the rugby union five nations' championship 3.50 **News**, regional news and weather
 4.00 **Catchword**. Word game hosted by **Paul Cota**
 4.30 **Righting Tails**. Dr **Manetta Higgs** the paediatrician who, in 1987, helped to diagnose 121 cerebral children as actual or possible victims of child sex abuse, talks to **John Lloyd** about the effects of the controversy
 5.00 **News** followed by **Holiday '91**. Travel guide presented by **Anne Gregg** and **Edmond Hamm**. Featuring **Anglo-American** home-swapping, skiing, and **Hungarian** holidays (r). (Teletext)
 5.30 **Top Gear**. **William Woollard** reports from the first **RAC** historic rally. **Sue Baker** is at the **Detroit** auto show, and **Chris Gifford** tests the **Proton** car from **Malaysia** (r)
 6.00 **Film: Heaven Knows Mr. Allison** (1957). Lighthearted adventure story starring **Deborah Kerr** and **Robert Mitchum** as a nun and a marine marooned together on a Pacific island during the second world war. In spite of their differences, they unite against the Japanese. Directed by **John Huston**. Wales: A Way with Numbers 6.55 **Mexico** **View** 6.50 **France** **Actualité** 7.15 **Wales** in **Westminster**
 7.45 **What the Papers Say**. With **Mark Lawson** of the **Independent** on **Sunday**
 8.00 **Public Eye: Lesson for the Law**. A look at the safety of British justice following the release of the **Birmingham six**
 8.30 **Gardeners' World**. Indoor and outdoor gardening advice. **Nigel Colborn** presents his guide to planning a garden as actual or possible. **Switzerland** looks at house plants, and there is a visit to the **Brigden** garden Centre, **Cheshire**, where gardens are planted on different themes
 9.00 **Rory Bremner**. The talented comedian makes a welcome return to the screen with his blend of political commentary, impressions and comic sketches. He is assisted by **John Bird** and **John Fortune**



Dublin's free spirits: Behan, Kavanagh, O'Brien (9.30pm)

9.30 **Three Irish Whitties**.
 © CHOICE: The three Irish whitties come tonight to herald the first of three films on successive days devoted to subjects Irish. The writers get the series off to a good start, being that highly alcoholic trio, **Brendan Behan**, **Patrick Kavanagh** and **Finn O'Brien** (who was also a columnist called **Myles** in **Gaelic** and a civil servant working under the name of **Brian O'Nolan**). The poet **Anthony Cronin**, who knew the trio in their **Fifties** prime, revisits their old haunts, mainly **Dublin** but also **Widows**, **Widows** and **Dublin** trip to visit the **reminiscent** and there is a memorable black-and-white television encounter between **Behan** and, of all people, **Edmond Hamm**. The trio are presented as free spirits ultimately crushed by **Dublin's** puritanism and claustrophobia. But they seem to have had a jolly good time along the way
 10.30 **Newsnight**. Presented by the abrasive **Jeremy Paxman**. 11.15 **Weather**
 11.20 **World Figure-Skating Championships**. **Berry Davies** introduces the free dance section of the championships from **Munich's** **Olympiastadion**
 12.00 **The Late Show**. A no-holds-bar look at the arts and media
 12.30am **Film: Egg** (1983). A warm, romantic and amusing tale about a lonely **literate** baker who starts writing by proxy to an equally lonely teacher. A delicately handled story with engaging performances from **John Lyden** and **Marjorie Vaugeois**. A Dutch film with English subtitles. Directed by **Dierck**. Ends at 1.30

ITV

6.00 **TV-am**
 6.25 **Lucky Ladders**. Game show presented by **Lennie Bennett** 9.55 **Thames News** and weather
 10.00 **The Time ... The Place** ... **John Stapleton** chairs a discussion on a topical subject
 10.40 **This Morning**. Family magazine presented by wife and husband team **Judy Finnigan** and **Richard Madeley**
 12.05 **Rainbow**. Entertaining children's learning series 12.25 **Thames News** and weather
 12.30 **News** with **John Suchet** (Oracle) **Weather**
 1.20 **Home and Away** 1.50 **A Country Practice**. Cozy community drama set in the Australian outback
 2.20 **Thames Action**. **Viv Taylor** and **Jackie King** present the consumer advice programme 2.50 **Journal**. Quiz game hosted by **Jeff Stevenson**. With guests **Nicky Campbell** and **David Jensen**
 3.15 **ITN News** headlines 3.20 **Thames News** headlines 3.25 **The Young Doctors**
 3.55 **Ask Oddie**. **Bill Oddie** proves he is still a **Goodie** by bringing environmental awareness to children's television. Featuring a report on the plight of baby chimpanzees and a survey of the so-called 'great products' which are on sale in the high street 4.15 **Warner Brothers** cartoon 4.30 **Fun House**. Stupidest game show presented by **Pat Sharp**
 5.00 **Home and Away** (r)
 5.30 **News** with **Fiona Armstrong** (Oracle) **Weather**
 6.00 **6 O'Clock News** presented by **Frank Bough**. With guests **Cilla Black**, **Tom Jones** and **Michael Palin**
 6.55 **Find A Family**. **Weather** **Winney Wells**, who is herself adopted, introduces two brothers, **Gary** and **Christopher**, who would like to find a permanent home
 7.00 **The \$64,000 Question**. **Bob Monkhouse** hosts the game show that tests the powers of memory and gives contestants the chance to win \$64,000



Miss Bettybury 1991: a bevy of beauty contestants (7.30pm)

7.30 **Coronation Street**. More laughs and tears with the residents of Britain's most famous street. **Audrey** refuses to attend an official dinner and the race is on for **Miss Bettybury 1991** - will **Rachel** be the winner? (Oracle)
 8.00 **Surprise Surprise**. **Cilla Black** hosts the show that brings people together after years apart and then introduces on their reunions. She is helped by **Bob Carolgeorge** and **Gordon Burns** (Oracle)
 9.00 **The Trials of Rosie O'Neill**. **Sharon**, **Glossy** drama series starring **Sharon Gless** as a former **Beverly Hills** lawyer turned public defender. **Justice** rears its head when **Rosie** defends an all-American by accident of desecrating a Jewish cemetery (Oracle)
 10.00 **News** at Ten with **John Smeville** and **Trevor McDonald** (Oracle) **Weather** 10.35 **LWT News** and weather
 10.40 **Crime Monthly**. Crime-busting programme presented by **Paul Ross**
 11.40 **Hooperman**. **John Ritter** stars in this entertaining series as policeman **Hooperman**. While his apartment is being used as a set for a horror film, with the whole precinct trying to get in on the act, **Hooperman** investigates the mysterious disappearance of a woman
 12.10am **Re-Awakenings**. Award-winning actors **Robert De Niro** and **Robin Williams** discuss their latest success **Awakenings**. The film, which has been highly praised in the United States, is based on the true story of the victims of a **Twenties** sleeping sickness epidemic, who were left forgotten in hospitals for 40 years, and then amazingly awakened in 1969 by the drug **L-Dopa**
 1.05 **The James White**. **Radio** **Shower**. The outrageously obnoxious **White** presents another late-night chat show
 2.05 **Word of Mouth**. **John Hargreaves** presents the poetry programme
 2.35 **Raw Power**. Music video show
 3.35 **Cinematracks**. A look at the movies that have recently opened in the US
 4.00 **Skid Time** from **Andy Steggall** and **Liz Wickham**
 4.35 **Sid World**. Advice on clothing, equipment and resorts
 5.05 **Coolest With Karma**. **Karma** makes vegetable delights
 5.30 **ITN Morning News** with **Anna Loughran**. Ends at 6.00

CHANNEL 4

6.00 **The Art of Landscape**. Realist scenes backed by soothing music
 6.20 **Business Daily** 6.30 **The Channel Four Daily** 6.25 **Schools**
 12.00 **News** summary followed by 12.05 **The Parliament Programme**
 12.30 **Business Daily**. Financial and business news service
 1.00 **Sesame Street** 2.00 **The Complete Sinner** (r)
 2.30 **Film: Twentieth Century** (1934, b/w). Glorious screwball comedy with **John Barrymore** as a Broadway producer and **Carole Lombard** as the actress he trains but who refuses to sign the new contract he offers her. Written by **Ben Hecht** and **Charles MacArthur** from their stage hit and directed by **Howard Hawks**
 4.10 **A Magic Wand**. Animated short
 4.30 **Countdown**. With **Richard Whiteley** and **Sally James**
 5.00 **Not on Sunday** spends a Saturday night with an orthodox Jewish rabbi in north London who spends the evening making sure his young flock do not go into trouble
 5.30 **Sumo**. Japanese wrestling
 6.00 **Happy Days**. Classic comedy set in **Fifties** Milwaukee
 6.30 **Tonight** with **Jonathan Ross**. The guests include **Forest J. Ackerman** said to have coined the phrase 'sch-fi' and **Robbie Coltrane**. Music is provided by **Wes Cowley**
 7.00 **Channel Four News** with **Jon Snow** and **Zainab Badawi**. (Teletext)
 7.50 **First Reaction**. **David Baddiel** from **BBC2's The White House**. Experience talks about red nose day. Followed by **Weather**
 8.00 **Brookside**. (Teletext)
 8.30 **Travelogue**. **Alisa Springs** for the alternative traveller
 9.00 **Cheers**. Drinks all round for the writers of this entertaining sitcom
 9.30 **Garden Club**. **Rebecca Pow** and **Matthew Biggs** visit gardens in the **Tyneside** area. (Teletext)
 10.00 **Roseanne**. Widescreening comedy series
 10.30 **Whose Line Is It Anyway?** Comic improvisation show
 11.00 **Jonathan Ross Presents for One Week Only: Aki Kaurismaki**.
 © CHOICE: **Jonathan Ross** kicks off the first of three profiles of cult film directors in **Stakis** **Newsnight** where he catches **Aki Kaurismaki** on location for his first British picture. **I Hired a Contract Killer**. **Kaurismaki** is the maverick Finn who was also responsible for **Leningrad Cowboys Go America**. He affects not to be being interviewed, but you begin to suspect that the gruff Nordic exterior is a bit of a pose. Renowned for his black humour, he says death is a happy ending in the version of **Helsinki** he created. **Shakespeare** by killing off everyone. In another film, 17 characters all called **Frank** either die or get married, which to **Kaurismaki** is the same thing. **Ross** asks him why his films have so little dialogue. Because, **Kaurismaki** says, people talk too much. **Underrated**. **Ross** pursues his quarry as far as the **Arctic** circle and a film festival which **Kaurismaki** runs but encourages people not to attend
 11.45 **After Birmingham**. British justice on trial. **Sally Magnusson** chairs a discussion between judges, senior barristers and solicitors about the British judicial system in the wake of the release of the **Birmingham six**
 12.45am **Film: Laura** (1944, b/w)
 © CHOICE: The starting point of **Orson Welles's** famous thriller is the brutal murder of a career girl (the **Laura** of the title, played by **Gene Tierney**) and the detective (Dana Andrews) who falls in love with her. But nothing is quite what it seems in a film that is densely plotted and contains a clutch of reliable performances, with **Clifton Webb**, **Vincent Price** and **Judith Anderson** more than holding their own with the principals. The ambiguities at the heart of the story are enhanced by **Welles's** direction, which brings out the contrast between the cool elegance of **Laura's** apartment and the greed and cruelty of the people who prey upon her. **Joseph L. Shek's** stylish black and white photography deservedly won the film's only Oscar, the dialogue (with **Webb** getting most of the best lines) fairly crackles and there is a haunting theme song by **David Raksin** and **Johnny Mercer**
 2.25 **Sumo**. A repeat of the programme shown at 5.30. Ends at 2.55



Portraying death as a happy ending: Aki Kaurismaki (11.00pm)

ANGELA

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BUSINESS

Business Editor
John Bell

FRIDAY MARCH 15 1991

Takeover offer made for Tottenham

TOTTENHAM Hotspur plc has confirmed that it has received a takeover offer for the company, although a formal bid is unlikely before the end of next week.

The International Stock Exchange said that "an approach has been made which may or may not lead to an offer being made for the whole of the issued share capital of the company".

The takeover consortium, led by Larry Gillick, a Scottish businessman, and including Terry Venables, the team manager, must establish if it has funds available to complete the deal.

Buyer sought for Air Europe

Administrators to International Leisure Group, the collapsed tour and airline company, said they are trying to find a buyer for Air Europe before Tuesday's deadline.

Tim Hayward, from KPMG Peat Marwick, said two foreign companies had approached him for more information but that a deal was still "a long way off".

US airline plan, page 30

£1.6bn interest

Legal & General has calculated for the first time that shareholders' interest in its life fund is at least £1.6 billion. This includes £800 million accumulated surplus from non-profit policies since the group started in 1836 and a conservatively estimated £800 million embedded profit in existing with-profit policies.

Temps, page 27

Docks decline

Only 32 registered dock workers remain at the 22 ports around the country operated by Associated British Ports Holdings. There were 1,720 in July 1989 when the National Dock Labour Scheme was abolished. Sir Keith Stuart, the chairman, said:

Temps, page 27

Direct liability

Directors should be financially liable for misleading company accounts and auditors reprimanded, said John Redwood, the corporate affairs minister.

Press to investors, page 27

US dollar

1.8555 (same)

German mark 2.9289 (+0.0013)

Exchange index 93.3 (same)

FT 30 Share

1998.5 (+46.4)

FT-SE 100 2500.6 (+52.4)

New York Dow Jones 2974.51 (+19.30)

Tokyo Nikkei Ave 26542.33 (+124.01)

RISE

British 758 1/2 (+29)

Commercial Union 538 1/2 (+24)

Legal & General 490 (+37)

Refuge 708 1/2 (+31)

Sailed Lyons 423 1/2 (+30)

Grand Mot 302 (+28)

Young A 429 (+20)

Seaview 478 1/2 (+20)

Lloyds 365 1/2 (+18)

Net West 344 (+22)

Abbey National 273 1/2 (+14)

Standard Chartered 383 1/2 (+24)

Bank One 753 1/2 (+28)

Provident 603 1/2 (+19)

HF Bamer 228 1/2 (+11)

FALLS

Sotheby 787 1/2 (-12)

Kleinwort Benson 355 (-8)

Norfolk House 60 1/2 (-12)

Nu-Swiss 500 (-10)

Closing Prices...Page 31

London Bank Base: 17%

3-month interbank 12 1/2-12 3/4%

3-month eligible bills 11 1/2-11 3/4%

US: Prime Rate 9%

Federal Funds 5 1/4-5 1/2%

3-month Treasury Bill 5.80-5.75%

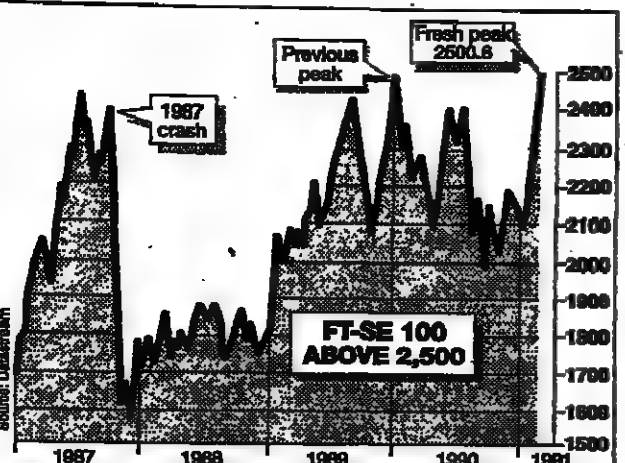
30-year bonds 9 1/4-9 3/4%

London: £1 5555

£1 5555

£1 5555

Rate cut hopes send shares to record 2,500



By COLIN NARRBROUGH AND MICHAEL CLARK

OFFICIAL figures showing a steep rise in unemployment and a long-awaited slowdown in average earnings heightened the prospect of an imminent cut in interest rates, sending share prices to a record.

The FT-SE 100 closed at 2,500.6, a rise of 52.4, or more than 2 per cent since Wednesday, taking it past its previous best of 2,463.7, set on January 3 last year.

The Bank of England made no effort to dissuade the money market from the increasingly established view that Norman Lamont, the Chancellor, has scope

to cut base rate by a point to 12 per cent by his first Budget next Tuesday.

The three-month interbank lending rate eased further to finish at 12 1/4 per cent compared with its previous close of 12 3/4 per cent. The pound held its ground against the mark, closing slightly higher at DM2.9289.

A fall in Spanish consumer prices, and a three-quarter point drop in Madrid's one-year treasury bills, reinforced conviction that the Bank of Spain will soon cut interest rates generally, improving the background for lower rates in Britain. Both recent base rates cuts have followed similar Spanish moves.

Dealers on the money markets claim a further cut in base rates is unlikely until

after the Budget, possibly towards the end of next week. Some analysts are, however, more optimistic.

Gwyn Hache, economist at James Capel, said that against this background, Mr Lamont could sanction a half-point cut in base rate as early as today, with a further half point in conjunction with the Budget.

Trading conditions in London were described as thin. By the close of business, 810 million shares had been traded, helped by further trading in PowerGen and National Power, which have been heavily supported by Japanese investors.

Stock market, page 29

Average earnings rise slows to 9.5%

By PHILIP BASSETT INDUSTRIAL EDITOR

AVERAGE earnings increases fell slightly in January, according to official figures out yesterday, though the government attributes little of the decline to any drop in pay settlement levels.

The new figures for average earnings came as the employment department announced a further sharp rise in unemployment, taking the headline "unadjusted" number out of work and claiming benefit to more than 2 million for the first time in two years.

Seasonally adjusted unemployment — the measure the government prefers to use as a more reliable indicator — rose much more sharply than was expected, to 1.977 million.

The slight fall in average earnings was virtually the only relief for the government in the gloomy labour market statistics. The employment department said the underlying increase in earnings for the whole economy fell to 9.5 per cent in January, from 9.7 per cent the previous month.

Michael Howard, the employment secretary, said this was an encouraging sign, and Dick Price, deputy director-general of the CBI, said earnings increases were continuing to edge downwards, but were still too high.

However, Whitehall attributes little or none of the decline in earnings to lower settlements. It said the decline was largely due to a fall in the amount of overtime worked — at 11.07 million hours, the figure is now the lowest for three years — and to lower bonus payments.

Although the CBI has said pay deals are falling to 8.3 per cent, none of those cited by the employment department was for less than 9 per cent.

Sectoral increases in average earnings were 9.25 per cent in services, 9.75 per cent in production industries and 9.5 per cent in manufacturing.

Possible indications of a bottoming-out of the recession came yesterday from the CBI, which said that retailers now expected slight growth in their business this month after a considerable decline. At the same time, the monthly CBI/Financial Times distributive trades survey boosted government forecasts that inflation is now firmly headed downwards by showing that price rises in retailing are now at their lowest level since 1983.

French buy in as Kleinwort loses £68m

By NEIL BENNETT, BANKING CORRESPONDENT

BANQUE Nationale de Paris has taken a 4.8 per cent stake in Kleinwort Benson, the government's merchant banking adviser which shocked the City with a record loss of £68 million.

Kleinwort, which masterminded the electricity privatisation, has started talks with the state-owned French bank over a cooperation agreement. These may be extended to include Dresdner Bank, Germany's second largest bank and BNP's European partner.

BNP has agreed to a 12-month standstill on its £21 million stake. David Peake, Kleinwort's chairman, said the talks were at an early stage, and described BNP's stake acquisition as "a very nice calling card".

Takeover speculation has surrounded Kleinwort since it became clear the bank had made heavy losses last year, but Mr Peake denied the move was defensive. "There is no question of us being forced into the arms of anybody," he said. "We have no need of support in any way. We are talking about a close relationship with BNP which will build a force in international merchant banking."

He refused to say whether the talks could produce a full bid for the bank.

Mr Peake said informal talks started several years ago, since he is a member of BNP's London board. BNP, Dresdner and Kleinwort have co-operated on several deals.

Kleinwort is issuing 6.15 million new shares to BNP at 435p each. Mr Peake said Kleinwort did not need the capital but had decided to issue new shares to prevent a surge in the bank's share price. Over the past 18 months, Kleinwort has bought in 10.8 million shares at the same average price.

Kleinwort's figures were far worse than the most pessimistic forecasts in the City and compared with a pre-tax profit of £37.7 million in 1989. Mr Peake said: "1990 was a very difficult year for everybody. Our results were particularly disappointing because of several unrepeatable items."

"We are not disheartened because we have strong capital and the reduction in our costs makes us feel modestly confident for 1991."

Mr Peake denied suggestions that Kleinwort is planning to close its equity trading business. "I won't provide a commitment or a pledge, but we are clear that equity distribution and dealing are necessary to our capital raising business," he said.

During the year, Kleinwort lost £34 million on the sale of

a 29.9 per cent stake in Premier Consolidated Oilfields, which it bought after the invasion of Kuwait, and failed to sell. Mr Peake said the bank would approach another deal like Premier with extreme caution. "We have tightened up our procedures for bought deals and we have become more risk averse than perhaps we should be," he said.

Profits were also hit by a £16 million loss in the Japanese equity warrant market, which slumped in the year. Kleinwort has closed its warrant trading operation in London and opened a smaller version in Tokyo.

The bank also suffered a 169 per cent surge in bad debt provisions to £43 million in its corporate lending business. Tim Barker, deputy chief executive, said the bank had reduced its loan book by £500 million to £1.7 billion in the year and would now only undertake more complex, and more profitable, lending.

The bank also made an exceptional charge of £35 million against profits. This included an £8 million provision against local authority swap transactions after the House of Lords ruled they were unlawful. There was also an £8 million charge for 300 redundancies.

Comment, page 27



Sharp decline in market: Lord Carrington, chairman of Christie's International

Christies warning after fall

By COLIN CAMPBELL

LORD Carrington, chairman of Christie's International, the fine art auctioneer, said the firm expects this year to be difficult, and "it will take some time before the recent levels of sales are regained".

He said there had been a sharp downturn in the art market in the second half of last year, and that Christie's pre-tax profits for all 1990 fell from £66.9 million to £43.1 million.

The group is maintaining its

final dividend at 6p, making 8.3p (8p) for the year. The shares rose 14p to 238p.

Analysts yesterday forecast Christie's might make a first-half loss this year if depressed conditions in the art market continue, but if there is improved second-half activity, it might end this year with pre-tax profits from £6 million to £10 million.

Lord Carrington said of 1990 that there had been a sharp decline in the im-

pressionist, modern and contemporary art markets.

Trading conditions had been further undermined by the Gulf war, weaker American and British economies, and fewer Japanese enquiries.

Recently, however, at least 300 potential Japanese buyers have viewed two Imperial screens due for auction in New York soon that have an estimated price of \$6 million.

Temps, page 27

Investors challenge Continental vote

By WOLFGANG MÜNCHAU, EUROPEAN BUSINESS CORRESPONDENT

CONTINENTAL, the German tyre company, said a shareholders' decision to lift voting rights might not be implemented for years.

The decision, taken at the company's extraordinary general meeting on Wednesday, was challenged yesterday by 25 shareholders who have registered an official complaint with the company.

A spokeswoman for Continental said: "As long as the legal proceedings are not completed, the current rules remain in force." Shareholders voted by a 66 per cent majority to abolish the voting rights ceiling, which limits the votes of an individual shareholder to 5 per cent. Once implemented, a regime of free votes would allow Pirelli, Continental's Italian rival, to increase its stake from 5 per cent and eventually make a full bid.

Shares in Continental and

Pirelli rose sharply yesterday, mainly on hopes that the lifting of restrictions would make a bid by Pirelli more likely. Pirelli proposed a DM2 billion reverse takeover of the German company last September, but this was rejected by shareholders at the egm.

The abolition of restrictions requires a change in the company's articles of association, and therefore needs court clearance. Under German law, the court cannot rule, however, unless all legal proceedings regarding the decision are fully completed.

The disputes could go all the way to the Federal Constitutional Court because of the absence of legal precedents, in which case the egm's decision could not be implemented for at least three years. Henning von Wedel, a lawyer, is among the shareholders challenging the decision with the threat of legal action.

Hill Samuel chief goes after losses

By OUR BANKING CORRESPONDENT

HAMISH Donaldson has resigned as chief executive of Hill Samuel two months after the bank reported a £40 million loss because of bad debt provisions.

His departure coincides with a reorganisation of TSB Group, Hill Samuel's parent, which will enlarge Hill Samuel into a full corporate and private banking and investment group.

Mr Donaldson has retired with Ted Emerson, managing director of Hill Samuel's corporate banking division. Hugh Frendberg, chief executive of TSB's insurance and investment division, becomes Hill Samuel's chief executive, while Don McCrickard, group chief executive, takes over as chairman.

Mr Donaldson and Mr Emerson agreed to leave after Hill Samuel's losses, caused by a £156 million provision on corporate lending. TSB's

board began a review of Hill Samuel after the loss was announced and is believed to have been unhappy with the bank's credit controls. All credit control has been moved to London while Mr McCrickard now authorises loans of more than £20 million.

Mr Donaldson was the last TSB senior executive who predated the arrival of Mr McCrickard and Sir Nicholas Goodison, the chairman, in 1989.

TSB Group is being reorganised into two divisions. The TSB Trust Company, the life assurance arm, is being merged into the retail bank, while Hill Samuel Investment Services, the investment and savings subsidiary, and Hill Samuel Investment Management, the fund manager, are being merged with Hill Samuel Bank. The insurance and investment services division is being disbanded.

Budgeting for the lollipop factor

By ANATOLE KALETSKY ECONOMICS EDITOR

INTEREST rates could be cut by a full percentage point in next week's Budget or very soon after, according to growing numbers of City economists.

The main question in the market yesterday was not whether base rates would be cut to 12 per cent in the near future, but whether the Chancellor wants to make a public gesture with a full point cut in the Budget.

Peter Spencer, of Shearson Lehman Brothers, said: "If the Chancellor has goodies in the Budget, he will not want to distract attention from them with a big cut in base rates. He might as well get a second set of good headlines for that. But if he has no lollipops to offer, rates will be cut."

However, a survey of City expectations carried out this week suggested the Chancellor had little scope for significant

tax cuts. The City's expectation for the public sector borrowing requirement in 1991-2 is £10 billion, according to a median of 16 leading City analysts questioned by MMS, the international financial research group. The official Treasury forecast is expected to show a PSBR of £8 billion. The median tax "giveaway" expected by the City is only £1 billion.

The Treasury is expected to forecast a 1 per cent fall in gross domestic product this year and an inflation rate of 4.75 per cent in the last quarter.

The median expectation says excise duties will be raised by only half the rate of inflation. Two thirds of analysts expect personal tax allowances to be fully indexed, while a third expect them to be raised by more than inflation.

Only 13 per cent of analysts expect a cut in the basic rate of income tax and none expects a lifting of the national

insurance ceiling, which protects higher rate taxpayers from paying large national insurance contributions.

CAR exports more than doubled last month, staying off the need for full-scale redundancies in British factories, according to figures from the Society of Motor Manufacturers and Traders (Kevin Eason writes).

The doubling of output in February from the same time last year underlined the switch away from production for the home market, which fell 26 per cent.

The SMMT said output for last month was 108,902, 14.09 per cent better than February last year, with production of cars for export improved to 57,780 from 27,485.

Export production provided a buffer against the deterioration in home sales, allowing factories the chance to increase their output 94.35 per cent in the first two months of the year to 109,365 cars.

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Robertson warns

Elsewhere in the group the results were more encouraging, with trading profits rising an average 11 per cent, Mr Clarke said. At Keebler, the American subsidiary, trading profits in dollar terms rose 22



per cent to \$104 million. However, on conversion to sterling the rise was reduced to eight per cent.

Mr Clarke thought that UB had made significant progress on three fronts during the year — its core activities, acquisitions in Europe and a new management team. As well as Mr Clarke replacing Sir Hector, Eric Nicoll took over as chief executive at the beginning of this year.

UB's expansion overseas is

Quadrant's first acquisition under Mr Brothers will be to buy two liquefied petroleum gas vessels from Beckworth, his private company, for US\$17 million, US\$10 million of which will be funded by an external dollar loan.

Despite the premium price paid, Quadrant shares dropped 7p to 119p, on worries of a profits fall.

David Donne, chairman, said: "The difficult economic environment experienced in 1990 is continuing into 1991, with at best, any respite expected to come from a modest recovery in the second half. Current trading shows an increase on last year but, whilst in line with expectations, reflects a difficult environment."

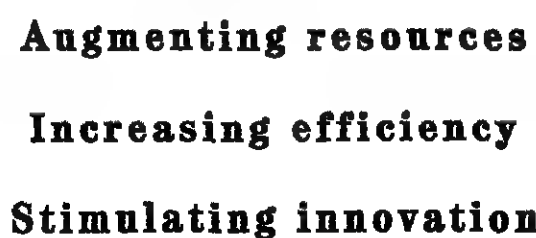
examined
THE monopolies commission will examine the purchase by Prosper de Mulder (PdM) of Croda International's animal waste collection and rendering business. The purchase would strengthen PdM's dominance of Britain's animal waste business.

READYMIX (Fin)
Pre-tax: £4.45m (£3.05m)
EPS: 10.53p (10.59p)
Div: 1.95c mka 2.5c

CALOR Group, the distributor of liquefied petroleum gases, reported a fall in pre-tax profits from £47.6 million to £38.9 million for 1990. The company, which is 44 per cent owned by SEV, the Dutch conglomerate, blamed the mild winter for the fall.

Michael Davies, the chairman, said turnover had fallen two months in 1990. He has experienced a period of colder weather, most of the economic factors which make business difficult in 1990 still persist." These include the price of gas, which has risen this year despite a fall in crude oil prices, the recession and high interest charges."

The company also reported an exceptional charge of £6.5 million to cover reorganisation costs. Group turnover rose 1.5 per cent to £228.3 million. The final dividend is 6n. netting 12n.



By order of the Board

E. J. S. MILLER, Secretary
15 March 1991

By order of the Board

THE TI

Quick double
for Malcolm

of several bunches of the same generation of the same family were held at the Capitol, the strains of the bugler in the room, following on the first day of the party but did not know Graham-Wood, a young medical student who was photographing the event, had his head in a cloud of confusion as John Brown, the energy secretary, looked over his shoulder at the picture camera. Some time in the firm when he was in the *New York Times*, he was far from doing his job, Graham-Wood said, but had failed to notice the change. Suddenly "greeting" the secretary standing before him, Graham Wood

...up the second phone
...desperate to scan the
...to look the
...he was never-
...continuing to maintain
...eye on the form at
...yesterday. My
...where he wished he had
...on Tuesday

Leading Edge

The demise of British & Commonwealth has done little to dent the career of Christopher Edge, former head of research at Stock

Kleinwort warns off predators

David Peake, chairman of Kleinwort Benson, insists his merchant bank is merely discussing a cooperation agreement with two illustrious European institutions. But he has climbed into bed with a pair of elephants and will face the consequences when they roll over. The combined assets of Dresdner and Banque Nationale de Paris are more than 15 times Kleinwort's, so this is not a marriage of equals. Either could swallow the City firm without chewing.

Like their rivals, they recognise British pre-eminence in corporate finance and asset management, and the growing cross-border activity in both. They have also witnessed Deutsche Bank's success with Morgan Grenfell, which it bought for £950 million in 1989. Kleinwort may not be a leader in either field but it has a strong brand name and an impressive client list headed by Her Majesty's Government.

Kleinwort in turn will benefit from the captive business streams BNP and Dresdner can provide. BNP's 4.8 per cent stake

scotches the considerable takeover speculation that has surrounded the bank and should warn off other potential bidders.

The link could not have come at a better time for Kleinwort, distracting attention from its record loss. While rival firms have specialised, Kleinwort has persisted in its attempts to create an integrated house and is paying the penalty. The firm's belief seems unshakable despite its staggering losses in securities last year.

The relationship between the three banks may begin as a simple cross-referral deal, but is unlikely to end there. Deutsche bought an initial stake in Morgan Grenfell and waited more than two years before buying the rest. Deutsche has since shown that merchant bank managers are best run on a long leash to do deals and make money.

Dresdner and BNP may never need to buy all of Kleinwort, and the 20 per cent owned by the

founding family could prevent them in any case. But both banks wield enough financial clout to govern the merchant banks strategic planning once they are installed as minority shareholders. Kleinwort has signalled the end of its independence.

No cheer

Putting together his Budget for next week, Chancellor Norman Lamont would be unlikely to turn away an extra £16 billion. Yet that, without taking into account unmeasurable money from lost output, is what the Campaign for Work is saying the two million new out of work and claiming benefit would cost the Exchequer in a full year. Regardless of the value of these particular cal-

culations, based on a statistical cocktail of benefit paid and various taxes lost, there is little to cheer about in the latest labour market statistics.

Only the strike figures, the best for January since 1929, and marginally lower earnings increases provide any alleviation of the deep gloom. Though a decade or more ago it would have been an impossibility to say so, the strike figures barely matter now. Earnings are grinding their way down, but like the mills of God, they grind slow. A fall of 0.75 of a point since their high point of 10.25 per cent last June is hardly a spectacular result for ministers' and CBI leaders' monthly exhortations on pay.

The core figures on unemployment and employment are worst of all. The rise of numbers actually out of work through the

psychological two million were expected and the City already anticipates unemployment rising to about 2.5 million this year. More surprising was the 86,000 jump in the seasonally adjusted figure, taking it to within a spit of 2 million itself.

Perhaps worst of all, though not likely to be much noticed, were the revised employment figures.

Instead of the government being able to claim a still-rising number of people in work, statisticians have lopped off a massive 400,000 from the workforce in employment in the 12 months to last September in the light of new information. This proves conclusively that the economy was plunging even by that stage.

Yesterday's bad unemployment figures will be far from the last the government will have to face in this recession. They may not affect the Conservatives' electoral chances much. Indeed,

Welsh wails

Welsh Water received a veiled caution from Ian Byatt, the director general of water services, for investing much of its green dowry in a 10 per cent stake in South Wales Electricity. Thus far, Welsh is sitting on a tidy profit, but its ambition lies in a full merger. The trouble is persuading everyone, not least the electricity company's irate chairman Wynford Evans, that this is a good idea.

The latest missile in the war of words comes from Peter Hyde, respected water analyst at Kleinwort Benson, Welsh Water's broker. He estimates that cost savings could be up to £14 million a year. Since much of this would go to customers after Mr Byatt's 1995 review of price limits, surely government and regulators should approve. For Welsh Water shareholders, safe diversification is needed. But will Mr Evans be convinced?

L&G still well placed despite fall in profits

LEGAL & General has taken the cautious approach in valuing its shareholders' interest in its £9.5 billion life fund. This includes the embedded value of its 10 per cent share in with-profits policies, but no appraisal or goodwill value for future business.

Even so, the surplus on all those old non-profit policies of yesterday has helped boost asset value to nearly 400p a share. That is a useful support, if behind the game after the recent rise in share prices, not least that of L&G, up 35p to 458p yesterday.

After the profit warning last month, the fall of just over half in pre-tax operating profits to £68.6 million came as no surprise, though at least the central life and pensions business increased profit by 18 per cent to £123 million. The general insurance business was as disastrous as elsewhere, a £41 million profit turning into a £51 million loss.

The 13.3 per cent rise in the dividend to 17.5p, from earnings of only 12.1p including realised investment gains, was more pleasant news. As the 5.2 per cent yield suggests, L&G is in a much better position than the regular companies that rely principally on general insurance. Life profits cover the dividend.

Joe Palmer, chief executive, sketched the non-life business last year by selling the Victory reinsurance subsidiary, which was earning no profits but released £140 million before tax. L&G specialises in personal insurance. There should, therefore, be some rebound this year after the deprivations of storms and an extra £35 million or so claimed or provided against subsidence.

Given the improving investment performance, the shares are not overpriced.

Associated British Ports

WHEN Associated British Ports was still suffering under the National Dock Labour Scheme three or four years ago, it made great play of the opportunities available from diversification into property.



Business slimmed: Joe Palmer, of Legal & General

The property market has collapsed, but the scheme is no more, so it is a pleasing irony to see ABP refocusing again on the docks, both the businesses and the property possibilities of the acres of unwanted land around them.

ABP's figures were noteworthy not for the actual profits as for their degree of disclosure and the £51 million property provisions. Profits rose by £3 million pre-tax to £60.2 million in 1990. A £23.1 million extraordinary item below the line, up £3.5 million on last time, represents the last severance payments from the ending of the scheme in July 1989.

possible buyer for Aldwych House, the biggest asset, put 29p on the shares to 260p amid yesterday's euphoria. Assuming £80 million pre-tax, the shares trade on less than 9 times 1991 earnings. With more benefits from the ending of the scheme set to contribute to healthy cash flows, they look one of the less risky property plays, although high borrowings and rising interest charges prompt caution.

Christies

CHRISTIES International could be bringing down the gavel on its own fingers when it reports first half results this year. By the year-end, shareholders could still be saying "ouch" because, after the heavy fall last year with pre-tax profits down from £66.9 million to £43.1 million, this year looks very uncertain.

Should buyers and sellers of art wake up tomorrow and decide to shake off the gloom that overhung the market for most of last year and creep into 1991 with a smile.

Last year Christies made a £282,000 operating loss in the second half compared with a first half operating profit of £35.9 million. The auction group could make a loss in the first half of this year. The mood in the art market remains uncertain, post-war Gulf depression has not yet been overcome, while the American economy and Japanese financial markets have some way to travel before leaving the tunnel.

Last year's final dividend was maintained at 6p, making 8.3p (8p), but cover is a thin 1.7 times. Blessed by a more confident art market, Christies might recover in the second half of this year. This year's profit estimates range from a gloomy £6 million to £10 million. If 1992 gathers steam, Christies might make pre-tax profits of £22 million, but even that would leave the shares at 238p, up 14p, on a fancy 30 times earnings. Until prospects are proved to be brighter, investors will be saying "no bid".

Big investors urged to ignore national interest in takeovers

INSTITUTIONAL investors are today urged to ignore the national interest when deciding the fate of British companies subject to takeover bids.

Competition and other national interest issues are the direct concern of the government, says a discussion document from the Association of British Insurers. "In the absence of government action, institutional shareholders cannot be expected to allow such issues to dictate their ultimate decision," the paper continues.

From the ABI standpoint, such a hard line statement of principle merely emphasises that insurance companies have a primary duty to those whose money they invest. But the discussion document, which aims to establish a code of best practice, seems headed for another bout of controversy with industrialists and politicians over the so-called short-termism of the City.

The ABI paper, *The Responsibilities of Institutional Shareholders*, recognises that hostile takeovers provide great potential for disagreement between company man-

agement and shareholders, especially if the bidder is foreign. In general, the code of practice encourages shareholders to take a supportive view of incumbent management, but it pulls no punches over how it sees the ultimate loyalties of professional investors.

In cash bids where the value of an investment is crystal-

clear, companies are urged to ignore their foreign rivals. But the paper deliberately defines priorities tightly without hint of the broader implications for the nation.

On other issues, the paper suggests that professional investors take a more judgmental line over the way a company is being run. The composition of corporate

boardrooms, says the paper, is a matter for institutional attention.

The paper suggests that shareholders should be more willing to suggest changes and to ensure that there are adequate numbers of independent non-executives.

Investors are encouraged to take action to remedy what the paper describes as serious boardroom deficiencies, even more controversially, behind closed doors.

The ABI draftsmen clearly place more importance on the need for speed and confidence

than on broader issues of shareholder democracy and who decides what.

Post Burton and other spectacular pay-offs, the ABI calls for proper disclosure of directors' contracts and performance-related pay schemes. Compensation terms should be cleared to avoid later rows between shareholders and remaining directors.

The document codifies its thoughts into nine key principles of good practice. But the ABI should not be surprised if the consultation period attracts some acid comments. Though the paper makes good sense in some areas, it docks many tough issues by falling back on a narrow definition of individual fund managers' responsibilities.

The combined might of pension and insurance company funds conveys immense power to restructure whole areas of the British economy. The ABI cannot ignore the responsibility that goes with it by casting itself in the role of simple servant to the policyholder.

JOHN BELL
Business Editor

THE TIMES CITY DIARY

Quick double for Malcolm

THE successful launch of the electricity generators on Tuesday was warmly welcomed at James Capel, the main government broker to the issue. Centre-stage on the first day of dealings was partly by debonair Malcolm Graham-Wood, a senior institutional equity salesman, who was photographed clutching two telephones to his head in a classic dealing pose as John Wakeham, the energy secretary, looked over his shoulder. The picture caused some smiles at the firm when it appeared in *The Times* the next day. For far from dealing in the shares, Graham-Wood was talking to his bookie at the time, and had failed to notice Wakeham yesterday. Suddenly spotting the energy secretary standing over him, Graham-Wood, known for his quick reactions, picked up the second phone and began to scan his dealing screen — desperate to look the part. Said to be still recovering from the shock, he was nevertheless continuing to maintain a keen eye on the firm at Cheltenham yesterday, no doubt, where he wished he had been on Tuesday.

Leading Edge

THE demise of British & Commonwealth has done little to dent the career of Christopher Edge, former head of research at Stock

Group, the investment arm of B&C Merchant Bank. He has now bounced back as investment director of Family Assurance, Britain's largest friendly society, which puts up to £400 million in funds directly under his control. Edge originally made his name in the City as a director of Lazard Investors, where he worked from 1982-8 before joining B&C Merchant Bank as a director, working under Angus Samuels, now chief executive of Credit Suisse Buckmaster & Moore. It was at Lazard that Edge first tackled the ADT London marathon — a feat of endurance he hopes to repeat next month with his wife Shirley. "We will be running for the Royal Marsden Cancer Appeal," says Edge, aged 38, who is being coached by Peter Williams, former doctor to the British Olympic team.



A BRIEF entry in a Surrey insurance broker's circular reads: "A bank is a place where you can borrow money, provided you can prove that you don't really need it."

Sale-ing by

RANKS, it seems, will go to almost any lengths to peddle their wares in these troubled times. On Tuesday, Unibank, the Danish bank formed by a merger of Privatbank, Andelsbanken and SDS, flew in a hundred or so Greek shipping magnates, Diamandis Pateras among them, for a champagne viewing of the paintings of Dimitri Koukos at the Arctis Gallery in Chelsea. Not content with loans outstanding to Greek shipowners of \$300 million, the bank was also using the evening to promote its new South European bond portfolio which anticipates a return of 25 per cent or more, optimistic at the best of times on Spanish senior securities. To inspire confidence, Earl Jellicoe, the wartime commander who liberated Athens was on hand, with actor Christopher Lee standing by. Other well-heeled guests included jeweller Laurence Graf and George Tsaviris, the shipowner and an avid collector.

Odds evened

THE long running battle for Stamford Bridge, home of Chelsea Football Club, could have easily spilled on to the

race track. At the Cheltenham Festival, an exchange was overheard between Ken Bates, chairman of the club, and Eoin Cotter, finance director of Cabra Estates, the property company which owns Stamford Bridge but cannot get Chelsea to leave it or buy it. Hostilities were, it seems, left behind for a moment when the two bumped into each other on route for the bookies. Who, enquired an amiable Bates, did Cotter fancy for the 4.05pm race? "Cash is King," replied Cotter, appropriately enough for a man whose company still hopes that Bates will come up with about £30-£40 million to buy the freehold of the ground Chelsea currently inhabits. Who did Bates favour for the race, enquired an equally affable Cotter? Bates, who in the past has suggested that Stamford Bridge is worth rather less than £10 million, paused for just a split second before replying: "Don't be Greedy".

THE blue spectacles and bowties of the ad agency world convincingly saw off the red braces and white socks of the City PR men in this year's Carney & Barrow Broomball League on the Broadgate Ice Rink. None of the institutional teams made it to Tuesday's final where PR men Dewe Rogers met Collett Dickinson Pearce, who won by two goals to one.

CAROL LEONARD



Top lines.

	1990 Unaudited	1989 Audited	Change
Sales	£2,725.6m	£2,723.7m	-
Trading profit	£290.7m	£121.1m	+4%
Profit before tax	£197.7m	£189.1m	+5%
Earnings per share			
Unaudited	29.5p	29.2p	+1%
Fully diluted	27.6p	26.9p	+3%
Dividends per share	14.4p	13.8p	+4%

Bottom line.

Satisfactory results in difficult economic circumstances □ Major acquisitions in Europe □ Replanning of business completed □ Significant presence in biscuits, snacks, confectionery, frozen and chilled foods □ "While in the short term the need for prudence remains... in the longer term... I have no doubt that our new management team will take the business forward in a way that will deliver attractive returns to shareholders."

R. C. CLARKE, Chairman



The Annual Report will be posted to shareholders on 19 April. If you would like a copy please write to Group Communications Department, United Biscuits (Holdings) plc, Great House, PO Box 40, Syn Lane, Ilkley, West Yorkshire LS29 7JN. Tel: 011-560 3131. The directors of United Biscuits (Holdings) plc accept responsibility for the contents of this advertisement, which has been approved for the purposes of Section 57 of the Financial Services Act 1986 by Euan H. Young, Chartered Accountant, a firm authorised by the Institute of Chartered Accountants in England and Wales to carry on investment business.

Will interview in London in 2 weeks.

He condemned the Europ-

Mr Crandall added: "Both ed by Congress and unions.

vanced from £8.45 million to £14.9 million. Earnings per share surged from 4.5p to 7.2p. There is a final dividend of 0.725p, making an improved total of 1.075p (0.675p) for the year. The group has more than 3,000 beds in operation or under construction, with more than 4,000 forecast by the end of this year.

ever, that eastern Europe would not, for the next year or two, be a place for quick return, remaining a market for

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EQUESTRIANISM

Whitaker out to seal place in final

By Jenny MacArthur

MICHAEL Whitaker and Nick Skelton will have their last attempt to secure a place in the final of the Volvo World Cup competition when they compete in the Paris qualifying round on Sunday.

Paris is the penultimate qualifier before the final in Göteborg, Sweden, next month for the leading 20 riders from the European League qualify.

Whitaker, who finished third on Henderson Montana in the Dortmund qualifier last weekend, is in fifteenth place. Skelton is sixteenth — most of his points coming from the Toronto and London qualifiers last year.

Provided both riders retain their form, they should confirm their place in the final this weekend, as Paris is the seventh World Cup show of the season for both riders — the maximum under Cup rules. Skelton and Whitaker are not eligible for the final qualifier, in Antwerp, next week. Instead, they will compete in the Zurich Classic which will have £50,000 in prize money — £30,000 to the winner — should provide some consolation.

The two other British riders competing this weekend are Joe Turt, in thirteenth place, who should be a certainty for Göteborg, and Michael's older brother, John, with Henderson Montana in 16th place. John is the holder of the Cup, automatically qualifying for the final though, ironically, they will also compete in Antwerp.

Armand Titeca, who runs the Antwerp show, owns Henderson Montana. One of Whitaker's horses, and has said he would like the pair to compete in his event — a disappointment for Whitaker, who, with Henderson Montana, would have been the favourite for the Zurich Classic.

Paris also hosts the final of the Volvo World Cup for dressage which takes place tonight. Britain is represented by Jennie Loriston-Clarke, with Dutch Gold, and Adam McDonald-Hall, with Optimist.

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Developing future skiing talent on the slopes



Through the gate: Berry in hard training as he puts in a practice run at the British Land British Championships

Progress gives Berry the spur

From David Chappell, IN TIGRES FRANCE

JEAN-CLAUDE Killy, the winner of three gold medals in the 1969 Winter Olympics, has been here this week in his capacity as president of the organising committee for the 1992 Winter Games at Albertville.

His presence is a reminder to the competitors in the British Land British National Championships of the fame and fortune that international skiing success can bring. The name of Killy dominates this resort where the British hope to discover future Olympic champions. But they start from a position of disadvantage.

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David Berry is a case in point. Seventh-ranked among British giant slalomists, Berry has only been racing on snow for four years after developing his talent on the dry slopes of south Wales. Now 21, he is trying hard to make up for lost time.

Five years ago, Berry gave up an engineering apprenticeship and left home for Fontvieille, France, to pursue a racing career. To finance a racing career he has worked part time in the business, instructing and laying and maintaining artificial slopes. His sponsorship ran out last summer, leaving him struggling.

"It has been difficult over the last two years," he said. "Even though I had the sponsorship I did not have the training facilities."

Ironically, as a member of the Welsh Alpine Squad, he has been allowed to train with the England squad this year.

From his European winter base in southern France, where a bed and breakfast deal allows him to share a room, he has made encouraging progress in recent races.

But dedication and training are no guarantees of success. "It is so easy to make a mistake, so easy to fall," he said. "It happens to everybody and it can happen at any time." It happened to him yesterday in the giant slalom, when he was late turning into a gate near the end of the first run and fell.

But William Taunton-Burnett, an Exeter University graduate who has been training Berry since last winter, took his chance to upstage the more famous and sponsored skier, finishing an impressive second behind Ronald Duncan, whose third time of these British championships it was.

Claire de Fontvieille continues to dominate the women's events, beating Lesley Beck by three quarters of a second to win her third successive event.

Let Mark Pitman tell the story of those last dramatic strides, after which he and Mrs Pitman became the first mother-son combination to win the Gold Cup and also succeed as a jockey where his father, Richard, failed when second on Pendil in 1973 and Southsayer in 1975.

"I hadn't intended to go to the front so soon, but he really pinged the fence. I knew he was staying, so I thought I'd better go for it. At the last I remembered just being beaten on Toby Tobias last year, and knew I had to ask for everything. I wanted a long one and got it. On the hill he was very tired and started hanging to the left, but I managed to straighten him out and we just held on."

Francois Doumen was thrilled with The Fellow, who failed so narrowly to become the first-ever French-trained winner of the Gold Cup, after blundering at the eighth fence from home and again at the next jump.

"He was a fresher horse than at Kempton and he stays for ever. Those two mistakes probably cost him the race. I wanted to win this race as my father Jean broke in Mandarin for Madame Hennessy."

Desert Orchid, having been knocked out to 4-1 in the betting, ran his heart out after leading from his heart until the seventh fence from home. "Once again, he drew on his resources and gave everything," said Richard Burridge, "but he's not quite as great as he was. We'll give him two weeks' rest before deciding whether to run again this season."

Cool Ground ran a magnificent race to finish fourth on ground too firm, but the heavily-backed Celtic Shot weakened quickly to finish seventh after blundering at the third fence from home. "It was very disappointing," said Peter Scudamore. "He was never really going and we were only there on sufferance. He's not the horse he was earlier on."

Never have the remarkable and non-beaten Mrs Pitman's training skills been more dramatically highlighted than by her patient handling of Garrison Savannah. Both Toby Tobias and Royal Athlete had failed to make yesterday's fine-up and in the middle of January it looked as though it was impossible for Garrison Savannah to run in the Gold Cup let alone win it.

"The gelding developed a small problem in his shoulder after finishing third to Celtic Shot at Haydock on December 12. Since then the trainer and her team at Westover House, Upper Lambourn, had worked night and day to get the horse right. In the middle of January, my vet Alan Walker suggested we tried acupuncture so we got Chris Day to treat him twice a week," said Mrs Pitman.

Mrs Pitman commented yesterday to be the most fulfilling moment of her life to date. "Winning the Grand National with Corbiere was the first highlight. But I've always dreamt of winning either the Gold Cup or the National with Mark in the saddle," she said.

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Garrison Savannah 8-1 to complete a glorious double

By MICHAEL SEELY, RACING CORRESPONDENT

GARRISON Savannah is favourite at 8-1 to become the only horse apart from Golden Miller in 1934 to land the Gold Cup-Grand National double in the same year.

"If the owners agree and the horse comes through the race all right, we'll have to go for it," said Jenny Pitman after her son, Mark, had driven the 16-1 winner to a short-head victory over The Fellow, with Desert Orchid 15 lengths away third. "He's only got 10st 11lb and would have 12st next year," she pointed out.

The moment of truth in the 1991 Gold Cup came when Garrison Savannah put in a magnificent leap at the third fence from home, and took up the running from Celtic Shot, a surprise favourite at 5-2.

At this point The Fellow and Carrick Hill had been the only others in touch, as Desert Orchid was already feeling the strain. Racing to the final jump Garrison Savannah was about three lengths clear of The Fellow.

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strides, after which he and Mrs Pitman became the first mother-son combination to win the Gold Cup and also succeed as a jockey where his father, Richard, failed when second on Pendil in 1973 and Southsayer in 1975.

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Court of Appeal

Law Report March 15 1991

House of Lords

Rape within marriage is possible

Transitional provision is temporary

Regina v R (a Husband)

Before Lord Lane, Lord Chief Justice, Sir Stephen Brown, President, Lord Justice Goff, Lord Justice Neill and Lord Justice Russell (Judgment March 14)

A husband could be convicted of raping his wife, for a rapist remained a rapist subject to the criminal law irrespective of his relationship with the victim.

The Court of Appeal Criminal Division, so held by a certified point of law of general public importance. "As a husband criminally liable for raping his wife," and gave leave to appeal to the House of Lords.

Reserved judgment was being given dismissing an appeal by a husband from conviction on a plea of guilty to attempted rape of his wife after a ruling by Mr Justice Owen, Leicester Crown Court last July.

The husband was sentenced to three years imprisonment. He had pleaded not guilty to rape and also guilty of assault occasioning actual bodily harm, for which he received a concurrent sentence of 18 months.

Mr Graham Buchanan, assisted by the Registrar of Criminal Appeals, Lord Justice Goff, Mr John Milmo, QC and Mr Peter Joyce for the Crown.

The LORD CHIEF JUSTICE, giving the judgment of the court, said that after being tried for five years and four years after the birth of a son, as a result of matrimonial difficulties the wife left home and, with the son, returned to her parents.

No legal proceedings had taken place but some 22 days later the husband forced his way into the parents' house in their absence and attempted to have sexual intercourse with the wife against her will. He assaulted her by squeezing her neck with both hands.

Some two months before the trial at Leicester a decree nisi of divorce was made absolute.

The appeal against conviction was that the judge's ruling was erroneous but the argument on appeal raised two questions: first, whether there was any basis for the principle, long supposed to be part of the common law, that a wife did by the fact of marriage give any implied consent to sexual intercourse with her, and second, whether, assuming that principle at one time existed, it still represented the law in either a qualified or unqualified form.

Any consideration of that branch of the law had to start with the pronouncement by Sir Matthew Hale, for five years chief Justice, in *History of the Pleas of the Crown* (vol 1 (1736) p625):

"But the husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their mutual matrimonial consent and contract the wife

hath given up herself in this kind to her husband, which she cannot retract."

There could be little doubt that what Hale wrote was an accurate expression of the common law as it then stood, despite the fact that it was contained in a part of the work that the Crown had not yet reached when it was published. Hale died in 1676.

The theory that on marriage a wife gave her body to her husband was watered down by the decision in *R v R (1991) 1 All ER 755* and *R v R (1991) 1 All ER 759*.

In *R v R* consideration had been given to section 1 of the Sexual Offences (Amendment) Act 1976, which provided:

"(1) For the purposes of section 1 of the Sexual Offences Act 1956 a man commits rape if— (a) he has unlawful sexual intercourse with a woman who at the time of the intercourse does not consent to it; and (b) the act is done in circumstances in which it is a felony for a man to rape a woman."

After reviewing possible solutions, the Lordships said that, ever since *Clark* the husband had been paying lip service to the Hale proposition while, at the same time, increasing the number of exceptions, and situations to which it did not apply. There was a legitimate use of the flexibility of the common law which could and should adapt itself to changing social attitudes.

There came a time when the changes were so great that it was no longer enough to create further exceptions restricting the effect of the proposition: the time when the proposition itself required examination to see whether its terms were in accord with what was today generally accepted as acceptable behaviour.

For reasons already adumbrated and in particular those set out by Lord Justice Goff in *Stallard v HM Advocate* (1988) 1 All ER 248, with which their Lordships respectfully agreed, the idea that a wife by marriage consented in advance to her husband having sexual intercourse with her whatever her state of health or however proper her objections (if that was what Hale meant) was no longer acceptable.

It could never have been other than a fiction, and fiction was a poor basis for the criminal law. The extent to which events had overtaken Hale's proposition was well illustrated by his last four words "which she cannot retract".

It seemed to their Lordships that, where the common-law rule no longer even remotely represented what was the true position of a wife in present society, the duty of the court was to take steps to alter the rule if it could legitimately do so in the light of any relevant parliamentary enactment. In the end that came down to a consideration of the word "unlawful" in the 1976 Act.

If the word was to be construed as illicit, or outside marriage, then it seemingly admitted of no exception. A

place in the last four. Any complicity by Colchester United, Altrincham or Kidderminster Harriers, however, could not be a defence when trophy underdogs have been trying hard.

During 40 largely undistinguished years in the Football League, before they were demoted last season, Colchester never got as near to a Wembley appearance as they are now. Their manager, Ian Atkins, believes the match tomorrow against Wotton Albion was "preying on our players' minds" on Tuesday, when they were

held to a 2-2 draw by Runcorn, at Layer Road, and missed the chance of displacing Barnet at the head of the Conference. Altrincham, who meet Horwich RMI, are unbeaten in 19 Conference matches over five months, and have reached this stage nine times in the last 15 seasons, going on to victory at Wembley in 1978 and 1986.

The 45-minute journey to Moss Lane will hold no terrors for Paul O'Beirne, the Horwich chairman and player, who in October also filled in as manager for four weeks.

After a playing career which took in spells with Southport United, Chester City, Stockport County and — in the second division — Walsley, O'Beirne played for the Maltese side, Sliggo, for four seasons, commuting between his home in Sale and the Mediterranean every other week for the last two years.

The most likely venue for an upset in Kidderminster is Kewley, who are in the running for promotion from the HFL first division, will look to add another trophy scalp to a list which includes Telford United and Kettering Town.

Regina v Secretary of State for Social Security, Ex parte Britnell

Before Lord Keith of Kinkel, Lord Brandon of Oakbrook, Lord Ackner, Lord Oliver of Aylmerton and Lord Jauncey of Tulliclete (Speeches March 14)

The operation of a transitional provision was expected to be temporary because it became spent when all the past circumstances with which it was designed to deal had been dealt with.

Thus, since regulation 20(2) of the Social Security (Payments on account, Overpayments and Recovery) Regulations (SI 1987 No 491) must eventually become spent, it was transitional in character.

Regulation 20(2), made pursuant to the power granted to the Secretary of State for Social Security by section 89(1) of the Social Security Act 1986, modified section 53 of the 1986 Act by extending its scope but that modification was not so radical as to be regarded as an exercise of power by the secretary of state.

The House of Lords so held dismissing an appeal by Mr Alan Britnell from the dismissal of his claim for unemployment benefit under the 1976 Act. So recovery had to stop, leaving £164.32 outstanding.

On April 6, 1987, the Social Security Act 1986 came into force repealing section 119 of the 1975 Act and re-enacting it by section 53.

As regards the benefits out of which recovery might be made under section 89(1) of the 1986 Act, there were to be "prescribed" benefits and "prescribed" was defined by section 84(1) as meaning "specified in or determined in accordance with regulations".

Section 89(1) authorised the secretary of state to make such transitional and consequential provisions as he thought fit, only events occurring after the Act came into force. Regulation 20(2) purported to have the effect of applying the section to events which had occurred before that time, and thus gave it a retrospective effect not expressed in the enactment itself. The Act conferred no specific power on the secretary of state to cause section 53 to operate retrospectively.

supplementary benefit under section 41(1) of the Supplementary Benefits Act 1966 (later re-enacted in section 11(1) of the Supplementary Benefits Act 1976), was not permissible.

Rynode poised to complete treble on favoured course

By MANDARIN
(MICHAEL PHILLIPS)

Having won both her chases so far at Wolverhampton, Rynode appeals as a sporting bet to make it three in a row on the Midlands course today. She is tipped to win the Mutton Handicap Chase.

After running away with the Astbury Trophy towards the end of 1989, this Richard Lee-trained mare was not seen out again until last Boxing Day when she also turned her first handicap into a procession.

The reason for that long absence was an injury to a cannon bone. As she is clearly easy to get fit, it should not matter that Rynode has not raced since because of a bruised foot.

She is reported to be in fine shape again now and poised to give of her useful best again from off what still appears to be a reasonable mark in the handicap.

Conture Color, who was 20 lengths behind her last time, would appear to have no chance of revenge on these terms, so Rynode, King Up And Coming and Combermere looked the nucleus of Rynode's opposition. Of those three, I fear Combermere the most, even though Rynode has such a good track record.

With the irrepressible



Lee's Rynode, fully fit again

Jimmy Frost in the saddle — his confidence sky high after those fine wins on Morley Street and Crystal Palace at Cheltenham. Combermere will not be beaten easily after that sound effort behind Another Coral over a distance short of his best at Kempton last time.

No matter how he fares for his father on Combermere, Frost should not leave empty-handed because he can win the second division of the Mutton Handicap. Rynode's trainer, Ian Balding, on Knock Knock, a useful performer on the Flat who will have been well schooled.

The earlier division can go to Needwood Spire, who is due a victory after that sound

effort behind Dusty Miller and Switch at Towcester.

From three entries for the Wheaton Aston Novices' Chase, the Lambourn trainer Nicky Henderson has decided to rely upon Black Amber, and I feel his judgment will prove correct.

At Lingfield, I like Came Dewa's chance of winning the Peter Cox Group Novices' Handicap Chase with only 10st 9lb on his back. Last time out, Ron Hodges's eight-year-old was a creditable third at Wincanton behind the French-trained mare, Maria Bulka, and Aldino.

Maria Bulka is clearly held in high regard as the Arkle Challenge Trophy was best awarded target at Cheltenham until she met with a setback. As Aldino went to Cheltenham and won the Grand Annual Handicap Chase, the form still looks sound.

Oxbow's consistent but luckless sequence, which includes a second to that good horse Viking Flagship, can finally be rewarded with victory in the second division of the Newleaf Novices' Hurdle.

Before failing at the first at Sandown a week ago, False Economy ran well enough behind Windy Ways at Nottingham to suggest that he can land the Topclean Novices' Chase at Fakenham.

Selections

By Mandarin

2.15 Broughton. 2.45 False Economy. 3.15 Wall Game. 3.45 Clos Du Bois. 4.15 Glebe Spinney. 4.45 Light Hand.

By Thunderer

2.15 Broughton. 2.45 FALSE ECONOMY (nap). 3.15 Wall Game. 3.45 Old Eros. 4.15 Red Columbia. 4.45 Light Hand.

Michael Seely's selection: 3.15 Wall Game.

Brian Beel's selection: 3.15 Wall Game.

Going: good

2.15 PENNICK BUILDERS SELLING HANDICAP HURDLE (22,127: 2m 80yds) (10 runners)

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Results from yesterday's two meetings

Cheltenham

2.15 DAILY EXPRESS TRIUMPH HURDLE (Grade 1: 4-5-0: 2m 110yds) (10 runners)

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WOLVERHAMPTON

Selections

By Mandarin

2.00 Visage. 2.30 Standard Rose. 3.00 Cause Down. 3.30 Oxbow. 4.00 Milbird. 4.30 Tilt Tech Flyer. 5.00 Winklow.

By Thunderer

2.00 Against You. 2.30 Arbitrage. 3.00 Cause Down. 3.30 Oxbow. 4.00 Tommaso. 4.30 Tilt Tech Flyer. 5.00 Gladys Emmanuel.

Going: soft (good with good to firm patches in back straight) SIS

2.00 NEWLEAF NOVICES HURDLE (Div 1: 4-5-0: 21,778: 2m) (14 runners)

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FORM FOCUS

CHAMBERED has been in the form since last time when he won the Mutton Handicap Chase at Kempton last time. He was a creditable third at Wincanton behind the French-trained mare, Maria Bulka, and Aldino.

Before failing at the first at Sandown a week ago, False Economy ran well enough behind Windy Ways at Nottingham to suggest that he can land the Topclean Novices' Chase at Fakenham.

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Triumph Oh So Risky has Champion Hurdle objective

Oh So Risky, carrying the psychedelic colours once owned by members of the Crazy Gang, had the last laugh in the Daily Express Triumph Hurdle at Cheltenham yesterday, when he beat 29 rivals.

One of the most competitive races of the three-day festival meeting was turned into a procession from the moment David Elsworth's classy four-year-old ranged up alongside the leaders.

WOLVERHAMPTON

Selections

By Mandarin

2.15 Needwood Spire. 2.45 Goodby Venture. 3.15 Rynode (nap). 3.45 Black Amber. 4.15 Marabout. 4.45 Northern Jinks. 5.15 Knock Knock.

By Thunderer

2.15 Gulsha. 2.45 Goodby Venture. 3.15 Rynode. 3.45 Black Amber. 4.15 Marabout. 4.45 Northern Jinks. 5.15 Argakios.

Going: good (good to soft in places)

2.15 MARSTON NOVICES HURDLE (Div 1: 21,475: 2m) (17 runners)

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2.45 WHISTON FILLS SELLING HURDLE (4-5-0: 21,813: 2m) (16 runners)

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3.15 MITTON HANDICAP CHASE (23,118: 3m 10yds) (13 runners)

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Guide to our in-line racecard

1. 2.15 GOOD TIMES (21,475: 2m) (17 runners)

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3.0 PETER COX GROUP NOVICES HANDICAP CHASE (22,235: 2m) (7 runners)

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3.30 NEWLEAF NOVICES HURDLE (Div 1: 4-5-0: 21,783: 2m) (10 runners)

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4.00 FARMERS CLUB NOVICES HUNTER CHASE (Amateurs: 22,022: 3m) (14 runners)

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5.0 EBF STAKES (National Hunt flat race: 21,886: 1m 50yds) (14 runners)

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4.45 LAYTON HANDICAP CHASE (Div 1: 22,640: 2m 40yds) (14 runners)

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5.15 MARSTON NOVICES HURDLE (Div 1: 21,475: 2m) (17 runners)

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Course specialists

1. 5.15 MARSTON NOVICES HURDLE (Div 1: 21,475: 2m) (17 runners)

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ARTELAN BROOKS

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